

## Session 117 - (2007-2008)

**H 4328 (Rat #0290) General Bill, By Harrison, Delleney, Haskins, G.M. Smith, Cotty, McLeod and Hart**

**Similar (H 3575)**

**Summary:** Administrative law court

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-23-505 SO AS TO DEFINE CERTAIN TERMS; BY ADDING SECTION 1-23-535 SO AS TO PROVIDE THAT THE ADMINISTRATIVE LAW COURT SHALL HAVE AN OFFICIAL SEAL; TO AMEND SECTION 1-23-310, RELATING TO DEFINITIONS FOR PURPOSES OF ADMINISTRATIVE PROCEDURES, SO AS TO CHANGE A REFERENCE TO THE ADMINISTRATIVE LAW JUDGE DIVISION TO THE ADMINISTRATIVE LAW COURT; TO AMEND SECTION 1-23-320, RELATING TO CONTESTED CASE HEARINGS, SO AS TO DELETE A PROVISION REGARDING THE HANDLING OF ATTENDANCE AND TESTIMONY OF WITNESSES, PRODUCTION OF BOOKS, PAPERS, AND RECORDS, AND OTHER PROCEDURAL MATTERS AND TO PROVIDE FOR ENFORCEMENT OR RELIEF FROM AN AGENCY SUBPOENA BEFORE THE COURT; TO AMEND SECTION 1-23-380, AS AMENDED, RELATING TO JUDICIAL REVIEW AFTER EXHAUSTION OF ADMINISTRATIVE REMEDIES, SO AS TO DELETE REFERENCES TO THE ADMINISTRATIVE LAW COURT AND TO REVIEW BY AN ADMINISTRATIVE LAW JUDGE OF A FINAL DECISION IN A CONTESTED CASE TO CONFORM THE PROCEDURES TO OTHER PROCEDURAL PROVISIONS REGARDING THE COURT; TO AMEND SECTION 1-23-560, RELATING TO THE APPLICATION OF THE CODE OF JUDICIAL CONDUCT TO THE ADMINISTRATIVE LAW COURT, SO AS TO PROVIDE THAT THE CODE OF JUDICIAL CONDUCT SERVES AS THE SOLE GROUNDS FOR DISCIPLINE OF ADMINISTRATIVE LAW JUDGES AND TO ALLOW ADMINISTRATIVE LAW JUDGES AND SPOUSES TO ACCEPT INVITATIONS TO CERTAIN JUDICIAL-RELATED FUNCTIONS; TO AMEND SECTION 1-23-600, AS AMENDED, RELATING TO HEARINGS AND PROCEEDINGS OF THE ADMINISTRATIVE LAW COURT, SO AS TO CONFORM THE PROCEDURES TO OTHER PROCEDURAL PROVISIONS REGARDING THE COURT AND TO PROHIBIT THE HEARING OF CERTAIN INMATE APPEALS BY THE COURT; TO AMEND SECTION 1-23-610, AS AMENDED, RELATING TO REVIEW OF DECISIONS OF THE ADMINISTRATIVE LAW COURT, SO AS TO CONFORM THE PROCEDURES TO OTHER PROCEDURAL PROVISIONS REGARDING THE COURT AND TO DELETE THE PROVISION REQUIRING APPROPRIATED MONIES TO BE USED FOR THE SAME PURPOSE INDEFINITELY; AND TO AMEND SECTION 1-23-640, RELATING TO THE VENUE WHERE ADMINISTRATIVE LAW COURT CASES ARE HEARD, SO AS TO PROVIDE THAT CONTESTED CASES WILL BE HEARD AT THE PRINCIPAL OFFICES OR AT ANOTHER SUITABLE LOCATION UNDER CERTAIN CIRCUMSTANCES. -

ratified title

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| 12/05/07 | House  | Prefiled   |
| 12/05/07 | House  | Referred to Committee on Judiciary                                   |
| 01/08/08 | House  | Introduced and read first time HJ-33                                 |
| 01/08/08 | House  | Referred to Committee on Judiciary HJ-34                             |
| 01/30/08 | House  | Committee report: Favorable Judiciary HJ-4                           |
| 01/31/08 |        | Scrivener's error corrected  |
| 02/05/08 | House  | Member(s) request name added as sponsor: McLeod, Hart                |
| 02/05/08 | House  | Read second time HJ-42   |
| 02/05/08 | House  | Roll call Yeas-106 Nays-0 HJ-44                                      |
| 02/06/08 | House  | Read third time and sent to Senate HJ-14                             |
| 02/06/08 | Senate | Introduced and read first time SJ-15                                 |
| 02/06/08 | Senate | Referred to Committee on Judiciary SJ-15                             |
| 02/11/08 | Senate | Referred to Subcommittee: Martin (ch), Ford, Ritchie, Knotts, Cleary |
| 05/07/08 | Senate | Committee report: Favorable with amendment Judiciary SJ-9            |
| 05/13/08 | Senate | Committee Amendment Adopted SJ-14                                    |
| 05/13/08 | Senate | Read second time SJ-14   |
| 05/14/08 |        | Scrivener's error corrected  |
| 05/14/08 | Senate | Read third time and returned to House with amendments SJ-15          |
| 05/22/08 | House  | Concurred in Senate amendment and enrolled HJ-106                    |
| 05/22/08 | House  | Roll call Yeas-84 Nays-20 HJ-110                                     |
| 05/22/08 |        | Ratified R 290   |
| 05/28/08 |        | Vetoed by Governor   |
| 05/29/08 | House  | Veto sustained: Yeas-66 Nays-44 HJ-96                                |

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| 05/29/08 | House  | Debate adjourned on the motion to reconsider the vote whereby the veto was sustained until Tuesday, June 3, 2008 HJ-137 |
| 06/03/08 | House  | Reconsider vote whereby veto sustained HJ-147   |
| 06/03/08 | House  | Roll call Yeas-88 Nays-21 HJ-149  |
| 06/03/08 | House  | Veto overridden by originating body Yeas-92 Nays-26 HJ-149  |
| 10/24/08 | Senate | No legislative action on Veto   |