**South Carolina General Assembly**

119th Session, 2011-2012

**S. 269**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Rose

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Introduced in the Senate on January 11, 2011

Currently residing in the Senate Committee on **Judiciary**

Summary: Master-in-equity

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/15/2010 Senate Prefiled

12/15/2010 Senate Referred to Committee on **Judiciary**

1/11/2011 Senate Introduced and read first time ([Senate Journal‑page 122](file:///h:\sj%20archive\2011\01-11-11.docx))

1/11/2011 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 122](file:///h:\sj%20archive\2011\01-11-11.docx))

1/9/2012 Senate Referred to Subcommittee: S.Martin (ch), Rankin, Hutto, Bright, Davis

**VERSIONS OF THIS BILL**

[12/15/2010](file:///p:\pprever\2011-12\269_20101215.docx)

**A** **BILL**

TO AMEND SECTION 14-11-20, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE APPOINTMENT AND TERMS OF MASTER-IN-EQUITY, SO AS TO OMIT THE REQUIREMENT THAT THE MASTER-IN-EQUITY MAY HOLDOVER UNTIL HIS SUCCESSOR IS QUALIFIED AND APPOINTED.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-11-20 of the 1976 Code, as last amended by Act No. 35, is amended to read:

Pursuant to the provisions of Section 2‑19‑110, masters‑in‑equity must be appointed by the Governor with the advice and consent of the General Assembly for a term of six years ~~and until their successors are appointed and qualify~~. If the Judicial Merit Selection Commission does not find the incumbent master-in-equity qualified for the judicial office held or sought, his name will not be submitted to the local delegation for nomination, and upon expiration of his then current term of office, he shall cease serving in that judicial position. A master-in-equity shall not continue holding his judicial office after his term has expired unless he is reappointed for another term. No person is eligible to hold the office of master‑in‑equity who is not at the time of his appointment a citizen of the United States and of this State, has not attained the age of thirty‑two years upon his appointment, has not been a licensed attorney for at least eight years upon his appointment, has not been a resident of this State for five years immediately preceding his appointment, and has not been found qualified by the Judicial Merit Selection Commission.

Each master‑in‑equity of this State qualifies by taking the oath required by the Constitution of this State before a justice of the Supreme Court, a judge of the Court of Appeals, the President of the Senate, the Speaker of the House of Representatives, a circuit judge, the Clerk of the Supreme Court, a clerk of the court of common pleas, or a probate judge of the county and immediately enters upon his duties. The oath must be filed in the office of the Secretary of State.

A full‑time master‑in‑equity is prohibited from engaging in the practice of law. A part‑time master‑in‑equity may practice law but is prohibited from appearing before another master‑in‑equity. A standing master‑in‑equity may not serve as the probate judge of any county.

SECTION 2. This act takes effect upon approval of the Governor and applies to any sitting master-in-equity who is holding over after the expiration of his term..

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