**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4521**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Ryan

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Introduced in the House on January 10, 2012

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

Summary: Suspension of certain public officials by the governor

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/6/2011 House Prefiled

12/6/2011 House Referred to Committee on **Judiciary**

1/10/2012 House Introduced and read first time ([House Journal‑page 69](file:///h:\hj%20archive\2012\01-10-12.docx))

1/10/2012 House Referred to Committee on **Judiciary** ([House Journal‑page 69](file:///h:\hj%20archive\2012\01-10-12.docx))

**VERSIONS OF THIS BILL**

[12/6/2011](file:///p:\pprever\2011-12\4521_20111206.docx)

**A** **BILL**

TO AMEND SECTION 8‑1‑100, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF CERTAIN PUBLIC OFFICERS, SO AS TO PROVIDE THAT THE GOVERNOR MAY SUSPEND A PUBLIC OFFICIAL, OR PUBLIC MEMBER OF THE STATE OR ONE OF ITS POLITICAL SUBDIVISIONS, EXCEPT OFFICIALS AND MEMBERS OF THE LEGISLATIVE AND JUDICIAL BRANCHES, WHO OWES UNPAID FINES TO THE STATE ETHICS COMMISSION THAT TOTAL ONE THOUSAND DOLLARS OR MORE AND THAT HAVE BEEN DELINQUENT FOR AT LEAST THREE HUNDRED SIXTY‑FIVE CONSECUTIVE DAYS.

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

SECTION 1. Section 8‑1‑100 of the 1976 Code, as last amended by Act 181 of 1993, is further amended to read:

“Section 8‑1‑100. (A) Except as provided in Section 8‑1‑110, ~~any~~a state or county officer who is indicted in ~~any~~a court for ~~any~~a crime ~~may~~, ~~in~~at the discretion of the Governor, may be suspended by the Governor, who ~~in event of suspension~~then shall appoint ~~another in his stead~~an interim replacement until ~~he shall be~~the officer is acquitted. In case of conviction, the office ~~shall~~must be declared vacant by the Governor and the vacancy filled as provided by law.

(B) Whenever it appears to the satisfaction of the Governor that probable cause exists to believe that a public official or public member of the State or one of its political subdivisions owes the State Ethics Commission unpaid fines that total one thousand dollars or more, and which have been delinquent for at least three hundred sixty‑five consecutive days, the Governor may suspend the public official or public member and appoint an interim replacement until all fines owed to the State Ethics Commission by the individual have been paid in full. In the event that the fines remain delinquent for an additional thirty days following the public official’s or public member’s suspension, the Governor may declare the office vacant and the vacancy filled as provided by law.

(C) The Governor’s authority to suspend a public official or public member and appoint an interim replacement under subsection (B) does not apply to officials and members of the Legislative and Judicial branches.”

SECTION 2. This act takes effect upon ratification of an amendment to Section 8, Article VI of the Constitution of this State authorizing the Governor to suspend public officials or public members of the State or its political subdivisions who owe certain unpaid, delinquent fines to the State Ethics Commission.

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