**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 3076**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Pitts, Cobb‑Hunter, Bannister, Willis and Hosey

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Introduced in the House on January 8, 2019

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

Summary: Family Court judges

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/18/2018 House Prefiled

12/18/2018 House Referred to Committee on **Judiciary**

1/8/2019 House Introduced and read first time ([House Journal‑page 77](file:///h:\hj\20190108.docx))

1/8/2019 House Referred to Committee on **Judiciary** ([House Journal‑page 77](file:///h:\hj\20190108.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3076&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/18/2018](file:///p:\pprever\2019-20\3076_20181218.docx)

**A** **BILL**

TO AMEND SECTION 63‑3‑40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FAMILY COURT JUDGES FROM EACH JUDICIAL CIRCUIT, SO AS TO INCREASE THE NUMBER OF JUDGES TO BE ELECTED FROM THE FIRST AND EIGHTH CIRCUITS, TO DESIGNATE THE ASSIGNMENT OF ONE JUDGE EACH TO THE ORANGEBURG AND LAURENS COUNTIES FAMILY COURT, AND TO PROVIDE FOR THEIR EXCLUSIVE JURISDICTION OVER CERTAIN MATTERS.

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

SECTION 1. Section 63‑3‑40 of the 1976 Code is amended to read:

“Section 63‑3‑40. (A) The General Assembly shall elect a number of family court judges from each judicial circuit as follows:

First Circuit ~~Three~~ Four Judges

Second Circuit Two Judges

Third Circuit Three Judges

Fourth Circuit Three Judges

Fifth Circuit Four Judges

Sixth Circuit Two Judges

Seventh Circuit Three Judges

Eighth Circuit ~~Three~~ Four Judges

Ninth Circuit Six Judges

Tenth Circuit Three Judges

Eleventh Circuit Three Judges

Twelfth Circuit Three Judges

Thirteenth Circuit Six Judges

Fourteenth Circuit Three Judges

Fifteenth Circuit Three Judges

Sixteenth Circuit Two Judges

(B) One judge in the first circuit shall be assigned to Orangeburg County Family Court, and one judge from the eighth circuit shall be assigned to Laurens County Family Court. These judgeships shall have exclusive original jurisdiction over:

(1) voluntary placement hearings;

(2) foster care proceedings;

(3) proceedings to terminate parental rights;

(4) adoption proceedings; and

(5) Department of Social Services proceedings.

~~(B)~~(C) In the following judicial circuits at least one family court judge must be a resident of each county in the circuit: fifth, seventh, tenth, twelfth, thirteenth, fifteenth, and sixteenth. In those judicial circuits made up of three or more counties, at least one family court judge must be a resident of one of the counties which does not have the largest population in the circuit. In the ninth circuit, both counties in the circuit must have at least two resident family court judges.

~~(C)~~(D) No county in the sixth circuit shall have more than one resident family court judge.

~~(D)~~(E) In addition to the judges authorized by this section, there must be eight additional family court judges elected by the General Assembly from the State at large for terms of office of six years. These additional judges must be elected without regard to county or circuit of residence. Each office of the at‑large judges is a separate office and is assigned numerical designations of Seat No. 1 through Seat No. 8, respectively.”

SECTION 2. The Judicial Merit Selection Commission shall begin the process of nominating candidates for the judicial offices authorized by the provisions of SECTION 1, and the General Assembly then shall elect these judges from the nominees of the commission, except that the nominating process may not begin until funding for the additional judges is provided in the general appropriations act.

SECTION 3. This act takes effect upon approval by the Governor.

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