**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 4312**

**STATUS INFORMATION**

Concurrent Resolution

Sponsors: Reps. G.M. Smith, Rutherford and Murphy

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Introduced in the House on March 26, 2019

Introduced in the Senate on March 27, 2019

Last Amended on April 2, 2019

Adopted by the General Assembly on April 4, 2019

Summary: Election of Commission on May 1, 2019

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/26/2019 House Introduced, adopted, sent to Senate ([House Journal‑page 54](file:///h:\hj\20190326.docx))

3/27/2019 Senate Introduced ([Senate Journal‑page 10](file:///h:\sj\20190327.docx))

3/27/2019 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 10](file:///h:\sj\20190327.docx))

3/27/2019 Senate Recalled from Committee on **Judiciary** ([Senate Journal‑page 10](file:///h:\sj\20190327.docx))

4/2/2019 Senate Amended ([Senate Journal‑page 39](file:///h:\sj\20190402.docx))

4/2/2019 Senate Adopted ([Senate Journal‑page 39](file:///h:\sj\20190402.docx))

4/2/2019 Senate Returned to House with amendments ([Senate Journal‑page 39](file:///h:\sj\20190402.docx))

4/4/2019 House Concurred in amendment ([House Journal‑page 52](file:///h:\hj\20190404.docx))

4/4/2019 House Roll call Yeas‑103 Nays‑0 ([House Journal‑page 52](file:///h:\hj\20190404.docx))

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**VERSIONS OF THIS BILL**

[3/26/2019](file:///p:\pprever\2019-20\4312_20190326.docx)

[3/27/2019](file:///p:\pprever\2019-20\4312_20190327.docx)

[4/2/2019](file:///p:\pprever\2019-20\4312_20190402.docx)

AS PASSED BY THE SENATE

April 2, 2019

**H. 4312**

Introduced by Reps. G.M. Smith, Rutherford and Murphy

S. Printed 4/2/19--S.

Read the first time March 27, 2019.

**A** **CONCURRENT RESOLUTION**

TO FIX NOON ON WEDNESDAY, MAY 1, 2019, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SECOND JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE FEBRUARY 28, 2019, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2022; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING SUCCESSOR MEMBERS TO THE SOUTH CAROLINA CONSUMER AFFAIRS COMMISSION FOR SEATS 1, 2, 3, AND 4, SO AS TO FILL THE TERMS WHICH EXPIRE APRIL 14, 2018, AND JUNE 2, 2018.

Amend Title To Conform

Be it resolved by the House of Representatives, the Senate concurring:

That in the absence of Joint Rules, the General Assembly, by this resolution, agrees to bind itself subject to the terms of this resolution and to the requirements of Article III, Section 20 and Section 22 of the Constitution of South Carolina, 1895, and the provisions of Chapter 19, Title 2 relating to elections of members of the judiciary.

That the Senate and the House of Representatives shall meet in joint assembly in the Hall of the House of Representatives, Wednesday, May 8, 2019, at noon to elect a successor to the Honorable Doyet A. (Jack) Early III, Judge of the Circuit Court, Second Judicial Circuit, Seat 1, upon his retirement on or before February 28, 2019, and the successor will serve the remainder of the unexpired term, which expires June 30, 2022; and for the purpose of electing successor members to the South Carolina Consumer Affairs Commission for Seats 1, 2, 3, and 4, so as to fill the terms which expire April 14, 2018, and June 2, 2018.

Be it further resolved that the General Assembly agrees that all nominations must be made by the Chairman or Vice‑Chairman of the Judicial Merit Selection Commission and that pursuant to Section 2‑19‑90, no further nominating or seconding speeches may be made by members of the General Assembly on behalf of any candidate.

Be it further resolved that all Consumer Affairs nominations must be made by the Chairman of the Joint Committee to Review Candidates for the Consumer Affairs Commission, and that no further nominating or seconding speeches may be made by members of the General Assembly on behalf of any candidate.

Be it further resolved that no remarks shall be in order during the pendency of the joint assembly by any member of the joint assembly unless those remarks relate directly to the specific qualifications of a specific candidate for an office that is to be elected during the joint assembly. A point of order raised by a member of the joint assembly alleging a violation of the provisions of this paragraph must be decided by the presiding officer immediately and without debate.

Be it further resolved that the General Assembly agrees that during the joint assembly that the members of the House of Representatives shall vote electronically on all elections and on any other matter requiring a vote of the House.

Be it further resolved that the General Assembly agrees that upon motion by the Chairman or Vice‑Chairman of the Judicial Merit Selection Commission, uncontested judicial elections may be considered en banc either by voice vote or by a single roll call vote conducted pursuant to the provisions of this resolution and as provided in Article III, Section 20 of the Constitution of South Carolina, 1895. If such motion is adopted by a majority of the joint assembly, members would vote once for the uncontested races and that vote would be applied as if the joint assembly had voted on each race and would be so recorded in the journals of the House and Senate. Any member who wishes to abstain or vote in the negative on any race considered en banc by the joint assembly shall be allowed to do so by informing the desk of their decision. The candidates elected en banc shall be introduced individually to the joint assembly.

Be it further resolved that the General Assembly agrees that any procedural motions made during the joint assembly shall be determined by voice vote unless the motion is seconded by the requisite numbers of Senators or House members provided in Article III, Section 22 of the Constitution of South Carolina, 1895. If a sufficient number of seconds are received, there shall be a roll call vote.

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