**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3071**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Rutherford

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Prefiled in the House on December 5, 2024

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

Summary: Probate Judge qualifications

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/5/2024 House Prefiled

12/5/2024 House Referred to Committee on **Judiciary**

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**VERSIONS OF THIS BILL**

[12/05/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3071_20241205.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 14-23-1040, RELATING TO QUALIFICATIONS OF PROBATE JUDGES, SO AS TO REVISE THE QUALIFICATIONS AND RESTRUCTURE THE STATUTE.

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

SECTION 1. Section 14‑23‑1040 of the S.C. Code is amended to read:

Section 14‑23‑1040. No person is eligible to hold the office of judge of probate who is not at the time of his election:

(1) a citizen of the United States and of this State,;

(2) has not attained the age of twenty‑one years upon his election,;

(3) has not become a qualified elector of the county in which he is to be a judge,; and

(4) has not received a four‑year bachelor'sbachelor of science or arts degree from an accredited post‑secondary institution or if he has not received noa four‑year bachelor of science or arts degree he must have four years’ experience as an employee in a probate judge’s office in this State.

SECTION 2. The provisions of this act do not apply to a probate judge currently serving in office on or before the effective date of this act.

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

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