**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3999**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Reps. Mitchell and Yow

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Introduced in the House on February 13, 2025

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

Summary: Constitutional Amendment, dual office holding exclusions

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/13/2025 House Introduced and read first time ([House Journal‑page 40](h:\hj\20250213.docx))

2/13/2025 House Referred to Committee on **Judiciary** ([House Journal‑page 40](h:\hj\20250213.docx))

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3999&session=126&summary=B)  at the website

**VERSIONS OF THIS BILL**

[02/13/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/3999_20250213.docx)

A joint Resolution

Proposing an amendment to section 3, Article Vi and section 1A, Article XVII of the constitution of south carolina, 1895, both RELATING TO DUAL OFFICE HOLDING, both SO AS TO PROVIDE THAT ANY OFFICE HOLDER OR APPOINTEE WHOSE POSITION IS WHOLLY UNCOMPENSATED, EXCEPT FOR PER DIEM AND EXPENSE REIMBURSEMENT AS MAY BE PROVIDED BY LAW, IS EXEMPT FROM DUAL OFFICE HOLDING provisions.

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

SECTION 1. It is proposed that Section 3, Article VI of the Constitution of this State be amended to read:

Section 3. No person may hold two offices of honor or profit at the same time. This limitation does not apply to officers in the militia, notaries public, members of lawfully and regularly organized fire departments, constables, or delegates to a constitutional convention, or any other office holder or appointee whose position is wholly uncompensated except for per diem and expense reimbursement as may be provided by law.

SECTION 2. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Section 3, Article VI of the Constitution of this State, relating to dual office holding,be amended so as to provide that any office holder or appointee whose position is wholly uncompensated, except for per diem and expense reimbursement as may be provided by law, is exempt from dual office holding prohibitions?

Yes o

No o

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes,’ and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

SECTION 3. It is proposed that Section 1A, Article XVII of the Constitution of this State be amended to read:

Section 1A. Every qualified elector is eligible to any office to be voted for, unless disqualified by age, as prescribed in this Constitution. No person may hold two offices of honor or profit at the same time, but any person holding another office may at the same time be an officer in the militia, member of a lawfully and regularly organized fire department, constable, or a notary public, or any other office holder or appointee whose position is wholly uncompensated except for per diem and expense reimbursement as may be provided by law. The limitation above set forth “No person may hold two offices of honor or profit at the same time,” does not apply to the circuit judges of the State under the circumstances stated in this section, but whenever it appears that any or all of the Justices of the Supreme Court are disqualified or otherwise prevented from presiding in any cause for the reasons set forth in Section 6 of Article V of the Constitution, the Chief Justice or in his stead the Senior Associate Justice when available shall designate the requisite number of circuit judges for the hearing and determination of the hearing. The limitation above set forth does not prohibit any officeholder from being a delegate to a constitutional convention.

SECTION 4. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Section 1A, Article XVII of the Constitution of this State, relating to dual office holding,be amended so as to provide that any office holder or appointee whose position is wholly uncompensated, except for per diem and expense reimbursement as may be provided by law, is exempt from dual office holding prohibitions?

Yes o

No o

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes,’ and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

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