**South Carolina General Assembly**

123rd Session, 2019-2020

**A70, R90, H3951**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Clary, McCoy, Tallon, Bryant, Elliott, Martin, Gagnon, Thayer, McCravy, B. Newton, Jefferson and R. Williams

Document Path: l:\council\bills\gt\5649cm19.docx

Companion/Similar bill(s): 534

Introduced in the House on February 12, 2019

Introduced in the Senate on April 3, 2019

Last Amended on May 8, 2019

Passed by the General Assembly on May 9, 2019

Governor's Action: May 16, 2019, Signed

Summary: Sheriff qualifications

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/12/2019 House Introduced and read first time ([House Journal‑page 43](file:///h:\hj\20190212.docx))

2/12/2019 House Referred to Committee on **Judiciary** ([House Journal‑page 43](file:///h:\hj\20190212.docx))

2/21/2019 House Member(s) request name added as sponsor: Martin

3/5/2019 House Member(s) request name added as sponsor: Gagnon, Thayer, McCravy

3/19/2019 House Member(s) request name added as sponsor: B.Newton

3/20/2019 House Committee report: Favorable with amendment **Judiciary** ([House Journal‑page 45](file:///h:\hj\20190320.docx))

3/21/2019 Scrivener's error corrected

3/26/2019 House Member(s) request name added as sponsor: Jefferson, R.Williams

3/26/2019 House Debate adjourned until Wed., 3‑27‑19 ([House Journal‑page 24](file:///h:\hj\20190326.docx))

3/27/2019 House Amended ([House Journal‑page 19](file:///h:\hj\20190327.docx))

3/27/2019 House Read second time ([House Journal‑page 96](file:///h:\hj\20190327.docx))

3/27/2019 House Roll call Yeas‑100 Nays‑1 ([House Journal‑page 98](file:///h:\hj\20190327.docx))

3/28/2019 House Reconsidered ([House Journal‑page 54](file:///h:\hj\20190328.docx))

4/2/2019 House Amended ([House Journal‑page 18](file:///h:\hj\20190402.docx))

4/2/2019 House Read second time ([House Journal‑page 18](file:///h:\hj\20190402.docx))

4/2/2019 House Roll call Yeas‑105 Nays‑2 ([House Journal‑page 19](file:///h:\hj\20190402.docx))

4/3/2019 House Read third time and sent to Senate ([House Journal‑page 20](file:///h:\hj\20190403.docx))

4/3/2019 House Roll call Yeas‑89 Nays‑9 ([House Journal‑page 20](file:///h:\hj\20190403.docx))

4/3/2019 Senate Introduced and read first time ([Senate Journal‑page 10](file:///h:\sj\20190403.docx))

4/3/2019 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 10](file:///h:\sj\20190403.docx))

4/4/2019 Senate Referred to Subcommittee: Hutto (ch), Shealy, Young, McLeod, Senn

4/11/2019 Senate Recalled from Committee on **Judiciary** ([Senate Journal‑page 2](file:///h:\sj\20190411.docx))

4/12/2019 Scrivener's error corrected

4/23/2019 Senate Amended ([Senate Journal‑page 11](file:///h:\sj\20190423.docx))

4/23/2019 Senate Read second time ([Senate Journal‑page 11](file:///h:\sj\20190423.docx))

4/23/2019 Senate Roll call Ayes‑41 Nays‑0 ([Senate Journal‑page 11](file:///h:\sj\20190423.docx))

5/2/2019 Senate Amended ([Senate Journal‑page 50](file:///h:\sj\20190502.docx))

5/2/2019 Senate Read third time and returned to House with amendments ([Senate Journal‑page 50](file:///h:\sj\20190502.docx))

5/8/2019 House Senate amendment amended ([House Journal‑page 39](file:///h:\hj\20190508.docx))

5/8/2019 House Returned to Senate with amendments ([House Journal‑page 39](file:///h:\hj\20190508.docx))

5/9/2019 Senate Concurred in House amendment and enrolled ([Senate Journal‑page 63](file:///h:\sj\20190509.docx))

5/13/2019 Ratified R 90

5/16/2019 Signed By Governor

5/31/2019 Effective date 05/16/19

6/5/2019 Act No.  70

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3951&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/12/2019](file:///p:\pprever\2019-20\3951_20190212.docx)

[3/20/2019](file:///p:\pprever\2019-20\3951_20190320.docx)

[3/21/2019](file:///p:\pprever\2019-20\3951_20190321.docx)

[3/27/2019](file:///p:\pprever\2019-20\3951_20190327.docx)

[4/2/2019](file:///p:\pprever\2019-20\3951_20190402.docx)

[4/11/2019](file:///p:\pprever\2019-20\3951_20190411.docx)

[4/12/2019](file:///p:\pprever\2019-20\3951_20190412.docx)

[4/23/2019](file:///p:\pprever\2019-20\3951_20190423.docx)

[5/2/2019](file:///p:\pprever\2019-20\3951_20190502.docx)

[5/8/2019](file:///p:\pprever\2019-20\3951_20190508.docx)

(A70, R90, H3951)

**AN ACT TO AMEND SECTION 23‑11‑110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES FOR SHERIFF, TO MAKE TECHNICAL CHANGES, TO PROVIDE A SHERIFF HOLDING OFFICE ON THE EFFECTIVE DATE OF THIS SECTION IS NOT REQUIRED TO BE AN EXPERIENCED CERTIFIED LAW ENFORCEMENT OFFICER OR BE ELIGIBLE TO OBTAIN A CLASS 1 LAW ENFORCEMENT OFFICER CERTIFICATE UPON THE COMMENCEMENT OF HIS TERM OF OFFICE, AND TO PROVIDE ADDITIONAL QUALIFICATIONS.**

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

**Sheriff and candidates for sheriff qualifications**

SECTION 1. Section 23‑11‑110(A) of the 1976 Code is amended to read:

“(A) All sheriffs and candidates for sheriff in this State must have the following qualifications:

(1) be a citizen of the United States;

(2) be a resident of the county in which he seeks the office of sheriff for at least one year immediately preceding the date of the election for sheriff;

(3) be a registered voter;

(4) have attained the age of at least twenty‑one years prior to the date of his qualifying for election to the office;

(5) have:

(a) obtained a high school diploma, its recognized equivalent in educational training as established by the State Department of Education, and have at least five years experience as a Class 1 certified law enforcement officer; or

(b) obtained a two‑year associate degree and three years experience as a Class 1 certified law enforcement officer; or

(c) obtained a four‑year baccalaureate degree and one year experience as a Class 1 certified law enforcement officer; or

(d) served as a summary court judge for at least ten years.

For purposes of this section, a ‘Class 1 certified law enforcement officer’ is a person who has been issued a certificate as a Class 1 law enforcement officer by the South Carolina Law Enforcement Training Council. A sheriff holding office on the effective date of this section is not required to have obtained the necessary experience as a certified law enforcement officer in this State;

(6) have not been convicted of or pled guilty to a violation of Section 56‑1‑460 or 56‑5‑2930, or both, within the past ten years or a felony in this State or another state;

(7) have not been convicted of or pled guilty to a felony or a crime of moral turpitude in this State or another state;

(8) be fingerprinted and have the State Law Enforcement Division make a search of local, state, and federal fingerprint files for any criminal record. Fingerprints are to be taken under the direction of any law enforcement agency and must be made available to SLED no later than one hundred thirty days prior to the general election. The results of the records search are to be filed with the county executive committee of the person’s political party. A person seeking nomination by petition must file the records search with the county election commission in the county of his residence; and

(9) be eligible to be issued a certificate as a Class 1 law enforcement officer by the South Carolina Law Enforcement Training Council upon the commencement of the term of office. A sheriff holding office on the effective date of this section is exempt from the provisions in this item.”

**Time effective**

SECTION 2. This act takes effect upon approval by the Governor.

Ratified the 13th day of May, 2019.

Approved the 16th day of May, 2019.

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