**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3854**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Cooper

Document Path: l:\council\bills\gjk\20264sd09.docx

Companion/Similar bill(s): 3840

Introduced in the House on April 1, 2009

Introduced in the Senate on May 4, 2010

Last Amended on April 29, 2010

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

Summary: Tax

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/1/2009 House Introduced, read first time, placed on calendar without reference [HJ](file:///h:\HJ%20Archive\2009\04-01-09.docx)‑101

4/2/2009 House Debate adjourned until Tuesday, April 7, 2009 [HJ](file:///h:\HJ%20Archive\2009\04-02-09.docx)‑48

4/22/2009 House Debate adjourned [HJ](file:///h:\HJ%20Archive\2009\04-22-09.docx)‑31

4/22/2009 House Debate adjourned [HJ](file:///h:\HJ%20Archive\2009\04-22-09.docx)‑71

4/23/2009 House Debate adjourned until Tuesday, April 28, 2009 [HJ](file:///h:\HJ%20Archive\2009\04-23-09.docx)‑240

4/28/2009 House Debate adjourned until Wednesday, April 29, 2009 [HJ](file:///h:\HJ%20Archive\2009\04-28-09.docx)‑14

4/29/2009 House Debate adjourned until Thursday, April 30, 2009 [HJ](file:///h:\HJ%20Archive\2009\04-29-09.docx)‑26

4/30/2009 House Debate adjourned until Tuesday, May 12, 2009 [HJ](file:///h:\HJ%20Archive\2009\04-30-09.docx)‑18

5/12/2009 House Debate adjourned until Wednesday, May 13, 2009 [HJ](file:///h:\HJ%20Archive\2009\05-12-09.docx)‑25

5/13/2009 House Debate adjourned until Thursday, May 14, 2009 [HJ](file:///h:\HJ%20Archive\2009\05-13-09.docx)‑14

5/14/2009 House Debate adjourned until Tuesday, May 19, 2009 [HJ](file:///h:\HJ%20Archive\2009\05-14-09.docx)‑32

5/19/2009 House Debate adjourned until Wednesday, May 20, 2009 [HJ](file:///h:\HJ%20Archive\2009\05-19-09.docx)‑25

5/20/2009 House Debate adjourned [HJ](file:///h:\HJ%20Archive\2009\05-20-09.docx)‑22

5/21/2009 House Debate adjourned until Friday, May 22, 2009 [HJ](file:///h:\HJ%20Archive\2009\05-21-09.docx)‑16

1/13/2010 House Debate adjourned until Tuesday, February 2, 2010 [HJ](file:///h:\HJ%20Archive\2010\01-13-10.docx)‑27

2/2/2010 House Debate adjourned until March 1, 2010 [HJ](file:///h:\HJ%20Archive\2010\02-02-10.docx)‑60

3/2/2010 House Debate adjourned until Wednesday, March 3, 2010 [HJ](file:///h:\HJ%20Archive\2010\03-02-10.docx)‑17

3/3/2010 House Debate adjourned until Thursday, March 4, 2010 [HJ](file:///h:\HJ%20Archive\2010\03-03-10.docx)‑11

3/4/2010 House Debate adjourned until Tuesday, March 9, 2010 [HJ](file:///h:\HJ%20Archive\2010\03-04-10.docx)‑18

3/9/2010 House Debate adjourned until Thursday, March 11, 2010 [HJ](file:///h:\HJ%20Archive\2010\03-09-10.docx)‑10

3/11/2010 House Debate adjourned until Monday, March 15, 2010 [HJ](file:///h:\HJ%20Archive\2010\03-11-10.docx)‑10

3/23/2010 House Debate adjourned until Thursday, March 25, 2010 [HJ](file:///h:\HJ%20Archive\2010\03-23-10.docx)‑43

3/25/2010 House Debate adjourned until Tuesday, March 30, 2010 [HJ](file:///h:\HJ%20Archive\2010\03-25-10.docx)‑32

4/13/2010 House Debate adjourned until Thursday, April 15, 2010 [HJ](file:///h:\HJ%20Archive\2010\04-13-10.docx)‑34

4/15/2010 House Debate adjourned until Tuesday, April 20, 2010 [HJ](file:///h:\HJ%20Archive\2010\04-15-10.docx)‑38

4/20/2010 House Debate adjourned until Thursday, April 22, 2010 [HJ](file:///h:\HJ%20Archive\2010\04-20-10.docx)‑13

4/22/2010 House Debate adjourned until Tuesday, April 27, 2010 [HJ](file:///h:\HJ%20Archive\2010\04-22-10.docx)‑16

4/27/2010 House Debate adjourned until Thursday, April 29, 2010 [HJ](file:///h:\HJ%20Archive\2010\04-27-10.docx)‑35

4/29/2010 House Amended [HJ](file:///h:\HJ%20Archive\2010\04-29-10.docx)‑29

4/29/2010 House Read second time [HJ](file:///h:\HJ%20Archive\2010\04-29-10.docx)‑29

4/29/2010 House Unanimous consent for third reading on next legislative day [HJ](file:///h:\HJ%20Archive\2010\04-29-10.docx)‑31

4/30/2010 House Read third time and sent to Senate [HJ](file:///h:\HJ%20Archive\2010\04-30-10.docx)‑1

5/4/2010 Senate Introduced and read first time

5/4/2010 Senate Referred to Committee on **Judiciary**

5/11/2010 Senate Referred to Subcommittee: Campsen (ch), Cleary, Scott

**VERSIONS OF THIS BILL**

[4/1/2009](file:///p:\pprever\2009-10\3854_20090401.docx)

[4/1/2009-A](file:///p:\pprever\2009-10\3854_20090401A.docx)

[4/29/2010](file:///p:\pprever\2009-10\3854_20100429.docx)

AMENDED

April 29, 2010

**H. 3854**

Introduced by Rep. Cooper

S. Printed 4/29/10--H.

Read the first time April 1, 2009.

**A** **BILL**

TO AMEND TITLE 12, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAXATION, SO AS TO REVISE CERTAIN CHAPTERS AND SECTIONS PERTAINING TO VARIOUS TAX MATTERS.

Amend Title To Conform

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

SECTION 1. Article 9, Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Section 8‑13‑940. (A)(1) A candidate for or person intending to become a candidate for the Department of Workforce Appellate Panel may not directly or indirectly seek the pledge of a member of the General Assembly’s vote or directly or indirectly contact a member of the General Assembly regarding screening for that panel until:

(a) the qualifications of all candidates for that office have been determined by the Department of Workforce Review Committee; and

(b) the review committee has released formally to the General Assembly its report regarding the qualifications of all candidates for the office.

(2) For purposes of this section, ‘indirectly seeking a pledge’ means a candidate, or someone acting on behalf of and at the request of the candidate, who requests a person to contact a member of the General Assembly on his behalf before the review committee has released formally to the General Assembly its report regarding the qualifications of all candidates for the office.

(3) A prohibition in this section extends to no announcement of candidacy by the candidate or statement by the candidate detailing his qualifications.

(B) A member of the General Assembly may not offer his pledge to a candidate or potential candidate for the Department of Workforce Appellate Panel until:

(1) the qualifications of all candidates for that panel have been determined by the Department of Workforce Review Committee; and

(2) the review committee has released formally to the General Assembly its report regarding the qualifications of all candidates for the office. The committee’s formal release of this report must occur no earlier than forty‑eight hours after the names of all candidates found qualified by the review committee have been released initially to the General Assembly.

(C) A member of the General Assembly may not trade a thing of value, including a pledge to vote for legislation or for another candidate, in exchange for another member’s pledge to vote for a candidate for the Department of Workforce Appellate Panel.

(D)(1) A violation of this section by:

(a) a member of the General Assembly:

(i) may be considered by the Department of Workforce Review Committee when it considers the candidate’s qualifications; and

(ii) must be reported by the review committee to the House or Senate Ethics Committee, as applicable; and

(b) an incumbent appellate panelist seeking reelection must be reported by the Department of Workforce and the Department of Workforce Appellate Panel to the State Ethics Commission.

(2) A violation of this section is a misdemeanor and, upon conviction, the violator must be fined not more than one thousand dollars or imprisoned not more than ninety days.

(3) A case tried for a violation of this section may not be transferred from general sessions court pursuant to Section 22‑3‑545.”

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

‑‑‑‑XX‑‑‑‑