**South Carolina General Assembly**

118th Session, 2009-2010

**H. 4475**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Reps. T.R. Young, Sellers, Bedingfield, Norman, J.R. Smith, Stringer, Wylie, Millwood, Gunn, Scott, D.C. Smith, Stewart, Ballentine, H.B. Brown, Hart, Hearn, Haley, Funderburk, Willis, Clemmons, Harrell and Lucas

Document Path: l:\council\bills\bbm\9520htc10.docx

Companion/Similar bill(s): 3275, 3279, 3614

Introduced in the House on January 28, 2010

Introduced in the Senate on March 3, 2010

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

Summary: Secretary of State

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/28/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\01-28-10.docx)‑41

1/28/2010 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2010\01-28-10.docx)‑42

2/2/2010 House Member(s) request name added as sponsor: Haley, Funderburk

2/3/2010 House Member(s) request name added as sponsor: Willis

2/4/2010 House Committee report: Favorable **Judiciary** [HJ](file:///h:\HJ%20Archive\2010\02-04-10.docx)‑2

2/16/2010 House Requests for debate‑Rep(s). TR Young, Kennedy, Sellers, Duncan, Hart, Clemmons, Skelton, Jefferson, Hiott, Littlejohn, Scott, Millwood, Allison, Forrester, King, JR Smith, Simrill, Kirsh, Wylie, Parker, Brantley, Hamilton, GR Smith, and Bedingfield [HJ](file:///h:\HJ%20Archive\2010\02-16-10.docx)‑26

2/17/2010 House Member(s) request name added as sponsor: Clemmons, Harrell, Lucas

2/17/2010 House Debate adjourned until Thursday, February 18, 2010 [HJ](file:///h:\HJ%20Archive\2010\02-17-10.docx)‑201

2/24/2010 House Debate adjourned [HJ](file:///h:\HJ%20Archive\2010\02-24-10.docx)‑29

2/25/2010 House Read second time [HJ](file:///h:\HJ%20Archive\2010\02-25-10.docx)‑37

2/25/2010 House Roll call Yeas‑85 Nays‑30 [HJ](file:///h:\HJ%20Archive\2010\02-25-10.docx)‑42

3/2/2010 House Read third time and sent to Senate [HJ](file:///h:\HJ%20Archive\2010\03-02-10.docx)‑27

3/3/2010 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2010\03-03-10.docx)‑4

3/3/2010 Senate Referred to Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2010\03-03-10.docx)‑4

**VERSIONS OF THIS BILL**

[1/28/2010](file:///p:\pprever\2009-10\4475_20100128.docx)

[2/4/2010](file:///p:\pprever\2009-10\4475_20100204.docx)

COMMITTEE REPORT

February 4, 2010

**H. 4475**

Introduced by Reps. T.R. Young, Sellers, Bedingfield, Norman, J.R. Smith, Stringer, Wylie, Millwood, Gunn, Scott, D.C. Smith, Stewart, Ballentine, H.B. Brown, Hart, Hearn, Haley, Funderburk and Willis

S. Printed 2/4/10--H.

Read the first time January 28, 2010.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Joint Resolution (H. 4475) proposing an amendment to Section 7, Article VI of the Constitution of South Carolina, 1895, relating to the constitutional officers of this State, so as to delete, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

JAMES H. HARRISON for Committee.

**A** **JOINT RESOLUTION**

PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SECRETARY OF STATE FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SECRETARY OF STATE MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE SECRETARY OF STATE SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE SECRETARY OF STATE MAY BE REMOVED FROM OFFICE.

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

SECTION 1. It is proposed that Section 7, Article VI of the Constitution of this State be amended by adding the following new paragraph at the end:

“Beginning upon the expiration of the term of the Secretary of State serving in office on the date of the ratification of the provisions of this paragraph, the Secretary of State must be appointed by the Governor, upon the advice and consent of the General Assembly. The term of office must be for four years, coterminous with that of the Governor. The General Assembly shall provide by law for the duties, compensation, and qualifications for office, the procedures by which the appointment is made, and the procedures by which the Secretary of State may be removed from office.”

SECTION 2. The proposed amendment in Section 1 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 7, Article VI of the Constitution of this State relating to state constitutional officers be amended so as to delete the Secretary of State from the list of state officers which the Constitution requires to be elected; provide that upon the expiration of the term of the Secretary of State serving in office on the date of the ratification of this provision, the Secretary of State must be appointed by the Governor, upon the advice and consent of the General Assembly; and require the General Assembly to provide by law for the duties, compensation, and qualifications for office, the procedures by which the appointment is made, and the procedures by which the Secretary of State may be removed from office?

Yes 

No 

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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