**South Carolina General Assembly**

121st Session, 2015-2016

**S. 247**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Hembree

Document Path: l:\s-res\gh\005judi.ksg.gh.docx

Introduced in the Senate on January 13, 2015

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

Summary: Candidates for judicial elections

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/10/2014 Senate Prefiled

12/10/2014 Senate Referred to Committee on **Judiciary**

1/13/2015 Senate Introduced and read first time ([Senate Journal‑page 152](file:///h:\SJ%20Archive\2015\01-13-15.docx))

1/13/2015 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 152](file:///h:\SJ%20Archive\2015\01-13-15.docx))

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**VERSIONS OF THIS BILL**

[12/10/2014](file:///p:\pprever\2015-16\247_20141210.docx)

**A** **BILL**

TO AMEND SECTION 2–19–80(A) OF THE 1976 CODE, RELATING TO NOMINATIONS TO THE GENERAL ASSEMBLY OF CANDIDATES FOR JUDICIAL ELECTIONS, TO PROVIDE THAT ALL CANDIDATES SCREENED AND FOUND QUALIFIED BY THE JUDICIAL MERIT SELECTION COMMISSION ARE ELIGIBLE FOR ELECTION; AND TO AMEND SECTION 2‑19‑70(C), TO PROVIDE THAT CANDIDATES MAY NOT SEEK PLEDGES OF SUPPORT FROM MEMBERS OF THE GENERAL ASSEMBLY AND MEMBERS OF THE GENERAL ASSEMBLY CANNOT GIVE PLEDGES TO CANDIDATES UNTIL THE SEVENTH LEGISLATIVE DAY AFTER THE CANDIDATE QUALIFICATIONS HAVE BEEN DETERMINED AND THE SCREENING COMMITTEE RELEASES ITS FINAL REPORT.

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

SECTION 1. Section 2–19–80(A) of the 1976 Code is amended to read:

“Section 2–19–80. (A) The commission shall make nominations to the General Assembly of candidates and their qualifications for election to the Supreme Court, court of appeals, circuit court, family court, and the administrative law judge division. It shall review the qualifications of all applicants for a judicial office and ~~select therefrom and~~ submit to the General Assembly the names and qualifications of ~~the three~~ all candidates whom it considers ~~best~~ qualified for the judicial office under consideration. ~~If fewer than three persons apply to fill a vacancy or if the commission concludes there are fewer than three candidates qualified for a vacancy, it shall submit to the General Assembly only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.~~”

SECTION 2. Section 2‑19‑70(C) of the 1976 Code is elected to read:

“Section 2‑19‑70. (C) No candidate for judicial office may seek directly or indirectly 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 the judicial office until the seventh statewide legislative day after the qualifications of all candidates for that office have been determined by the Judicial Merit Selection Commission and the commission has formally released its report as to the qualifications of all candidates for the vacancy to the General Assembly. No member of the General Assembly may offer his pledge until the seventh statewide legislative day after the qualifications of all candidates for that office have been determined by the Judicial Merit Selection Commission and ~~until~~ the commission has formally released its report as to the qualifications of its nominees to the General Assembly. The formal release of the report of qualifications shall occur no earlier than forty‑eight hours after the nominees have been initially released to members of the General Assembly. For purposes of this section, indirectly seeking a pledge means the candidate, or someone acting on behalf of and at the request of the candidate, requesting a person to contact a member of the General Assembly on behalf of the candidate before nominations for that office are formally made by the commission. The prohibitions of this section do not extend to an announcement of candidacy by the candidate and statements by the candidate detailing the candidate’s qualifications.”

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

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