**South Carolina General Assembly**

125th Session, 2023-2024

**S. 475**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Talley

Companion/Similar bill(s): 3883

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Introduced in the Senate on February 1, 2023

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

Summary: Alternate Juror

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/1/2023 Senate Introduced and read first time ([Senate Journal‑page 4](h:\sj\20230201.docx))

2/1/2023 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 4](h:\sj\20230201.docx))

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=475&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[02/01/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/475_20230201.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 14‑7‑1340, RELATING TO DUTIES AND SERVICE OF ALTERNATE JURORS, SO AS TO PROVIDE THAT IT IS WITHIN THE DISCRETION OF THE TRIAL JUDGE TO RETAIN ALTERNATE JURORS AFTER THE JURY RETIRES TO DELIBERATE.

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

SECTION 1. Section 14‑7‑1340 of the S.C. Code is amended to read:

Section 14‑7‑1340. Such alternate jurors shall sit near the jury panel charged with the case, shall have the same opportunities for seeing and hearing the proceedings in the case, and shall take the same oath as the jurors already sworn and shall attend at all times the trial of the cause in company with the other jurors. They shall obey the orders of, and be bound by, the admonition of the court upon each adjournment of the court and, if the regular jurors are ordered to be kept in custody by the court during the trial of the cause, such alternate jurors shall also be kept in confinement with the other jurors and, except as hereinafter provided, shall be discharged in the discretion of the trial judge at any time after upon the final submission of the case to the jury. If the court retains an alternate juror after the jury retires to deliberate, the court must instruct the retained alternate not to discuss the case with anyone until that alternate replaces a juror or is discharged. If, before the final submission of the case to the jury, a juror thereon dies or becomes so ill or disabled as to be unable in the judgment of the court to perform his duties thereon, the court shall order him to be discharged and draw the name of one of the alternates, if there be more than one, by ballot to serve in the place of such dead or discharged juror throughout the remainder of the proceedings, being subject to the same rules and regulations as applied to the remainder of jurors, just as though he had been one of the original jurors. If there be but one alternate, he shall be placed upon the jury panel for all further proceedings in such cause.

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

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