**South Carolina General Assembly**

125th Session, 2023-2024

**H. 5069**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Jordan, Lowe, White and Mitchell

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Introduced in the House on February 8, 2024

Currently residing in the House

Summary: Probate judge qualifications

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/8/2024 House Introduced and read first time ([House Journal‑page 20](h:\hj\20240208.docx))

2/8/2024 House Referred to Committee on **Judiciary** ([House Journal‑page 20](h:\hj\20240208.docx))

2/14/2024 House Member(s) request name added as sponsor: Lowe

2/15/2024 House Member(s) request name added as sponsor: White

3/5/2024 House Member(s) request name added as sponsor: Mitchell

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**VERSIONS OF THIS BILL**

[02/08/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5069_20240208.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 14‑23‑1040, RELATING TO QUALIFICATIONS OF PROBATE JUDGES, SO AS TO REVISE THE QUALIFICATIONS FOR PROBATE JUDGES IN COUNTIES GREATER THAN NINETY THOUSAND IN POPULATION, AND TO GRANDFATHER THOSE PROBATE JUDGES CURRENTLY SERVING.

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

SECTION 1. Section 14‑23‑1040 of the S.C. Code is amended to read:

Section 14‑23‑1040. (A) No person is eligible to hold the office of judge of probate who is not at the time of his election:

(1) is not a citizen of the United States and of this State,;

(2) has not attained the age of twenty‑one years upon his election,;

(3) has not become a qualified elector of the county in which he is to be a judge,; and

(4) has not received a four‑year bachelor’s degree from an accredited post‑secondary institution or if he has received no degree he must have four years’ experience as an employee in a probate judge’s office in this State.

(B) In counties with populations in excess of ninety thousand citizens and notwithstanding the provisions of subsection (A)(2) and (4), no person is eligible to hold the office of judge of probate who at the time of his election:

(1) has not attained the age of twenty‑five years upon his election; and

(2) is not a licensed attorney in good standing in this State.

SECTION 2. The provisions of Section 14‑23‑1040(A)(4) and (B) do not apply to a probate judge currently serving in office on or before the effective date of this act.

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

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