**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4180**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. White, McCabe, Kilmartin, Beach, Cromer, Burns, Harris and Pace

Companion/Similar bill(s): 4182

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Introduced in the House on March 28, 2023

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

Summary: Judicial Candidate Review Process

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/28/2023 House Introduced and read first time (House Journal‑page 27)

 3/28/2023 House Referred to Committee on **Judiciary** (House Journal‑page 27)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=4180&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[03/28/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4180_20230328.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2‑19‑20, RELATING TO INVESTIGATIONs BY THE JUDICIAL MERIT SELECTION COMMISSION, SO AS TO PROVIDE THAT A PERSON WISHING TO SEEK A JUDICIAL OFFICE ELECTED BY THE GENERAL ASSEMBLY SUBMIT HIS OR HER RESUME TO THE GOVERNOR, AND TO PROVIDE THAT THE GOVERNOR SUBMIT NO MORE THAN SIX NAMES FOR EACH JUDICIAL SEAT TO BE FILLED TO THE COMMISSION; AND BY AMENDING SECTION 2‑19‑80, RELATING TO THE NOMINATION OF JUDICIAL CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO REQUIRE THE COMMISSION TO SUBMIT ALL QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY FOR ELECTION, AND TO REQUIRE THE COMMISSION TO PROVIDE A WRITTEN EXPLANATION TO THE GOVERNOR IF THE COMMISSION FINDS A CANDIDATE NOT QUALIFIED.

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

SECTION 1. Section 2‑19‑20(D) of the S.C. Code is amended to read:

 (D) Any person wishing to seek a judicial office, which is elected by the General Assembly, shall file a notice of intention to seek the office with the Judicial Merit Selection Commission submit his or her resume to the Office of the Governor. The Governor, after review of the resumes, must submit no more than six names of those who submitted a resume for each judicial seat to be filled, to the Judicial Merit Selection Commission for consideration. Upon receipt of the notice of intention names from the Governor, the commission shall begin to conduct the investigation of the candidate as it considers appropriate and may in the investigation utilize the services of any agency of state government. This agency shall, upon request, cooperate fully with the commission.

SECTION 2. Section 2‑19‑80(A) of the S.C. Code is amended to read:

  (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 provided by the Governor to the commission for consideration for a judicial office and select therefrom and shall submit to the General Assembly the names and qualifications of all the three candidates whom it considers best are 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. If the commission deems a candidate is not qualified, it must provide a written explanation to the Governor as to why the commission found the candidate not qualified.

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

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