**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4625**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Taylor, Pope, West, Mitchell, Yow, Hewitt, Elliott, Blackwell, Oremus, Felder, O'Neal, Guffey, Lowe, Jordan, Ligon, Bustos, Leber, Landing, Neese, M.M. Smith and Brittain

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Introduced in the House on January 9, 2024

Currently residing in the House

Summary: The Faithful Constitutional Convention Commissioner Act

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 11/16/2023 House Prefiled

 11/16/2023 House Referred to Committee on **Judiciary**

 1/9/2024 House Introduced and read first time (House Journal‑page 103)

 1/9/2024 House Referred to Committee on **Judiciary** (House Journal‑page 103)

 1/9/2024 House Member(s) request name added as sponsor: West

 1/23/2024 House Member(s) request name added as sponsor: Mitchell, Yow

 1/24/2024 House Member(s) request name added as sponsor: Hewitt

 1/30/2024 House Member(s) request name added as sponsor: Elliott

 2/7/2024 House Member(s) request name added as sponsor:
 Blackwell, Oremus, Felder, O'Neal, Guffey,
 Lowe, Jordan, Ligon, Bustos, Leber, Landing

 2/8/2024 House Member(s) request name added as sponsor: Neese,
 M.M. Smith

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

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**VERSIONS OF THIS BILL**

[11/16/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4625_20231116.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY enacting the “faithful constitutional convention commissioners act” by ADDING SECTION 1-1-1520 SO AS TO ESTABLISH OFFENSES FOR CERTAIN ACTS RELATED TO THE DUTIES AND AUTHORITY OF COMMISSIONERS TO AN ARTICLE V CONVENTION FOR PROPOSING CONSTITUTIONAL AMENDMENTS, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

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

SECTION 1. This act may be cited as the “Faithful Constitutional Convention Commissioner Act”.

SECTION 2. Article 23, Chapter 1, Title 1 of the S.C. Code is amended by adding:

 Section 1-1-1520. (A) As used in this section:

 (1) “Commissioner” means a person selected by resolution of the General Assembly to represent this State at an Article V convention for proposing amendments.

 (2) “Commission” means the resolution or other measure adopted by the General Assembly which sets forth the names of the appointed commissioners, the scope of their authority, and other instructions.

 (3) “Interim commissioner” means a person selected to fill a vacancy in the delegation.

 (B) A commissioner or interim commissioner to an Article V convention shall not exceed the scope of his authority when acting as a commissioner or interim commissioner. A commissioner or interim commissioner exceeds the scope of his authority by voting or otherwise acting beyond the authority granted in his commission, as altered by any duly issued subsequent instructions provided before the vote or other action.

 (C) A commissioner or interim commissioner who exceeds the scope of his or her authority is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars and imprisoned not more than one year.

 (D) Any individual who, while not being privileged by law, knowingly bribes, threatens, intimidates, or obstructs a commissioner or interim commissioner in the performance of his duties, or attempts to do so, is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars and imprisoned not more than one year.

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

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