

## Session 107 - (1987-1988)

### **S\*0001 (Rat #0806, Act #0678 of 1988) General Bill, By T.E. Smith**

A Bill Sections 8-21-1010 and 8-21-1060, Code of Laws of South Carolina, 1976, relating to fees collected by magistrates, so as to alter the schedule of fees and to allow magistrates to award attorneys' fees; to amend Section 22-1-10, relating to the appointment of magistrates, so as to establish their terms and to define their qualifications; to amend Section 22-2-10, relating to Senatorial recommendation of magistrates, so as to delete provisions allowing preferential elections; to amend the 1976 Code by adding Chapter 8 to Title 22 so as to provide for magistrates' compensation and for the funding of the operation of their offices; to require the transfer of counterclaims, which if successful would exceed two thousand five hundred dollars, from magistrate's court to the court of common pleas, to allow the increase of the number of magistrates in counties which generate four million dollars or more in accommodations tax revenue, and to allow an additional part-time magistrate in counties having a population of fifteen thousand or less in certain instances; to allow appeals by magistrates of rulings by county governing bodies; to amend Sections 14-11-10, 14-11-20, 14-11-30, 14-11-60, and 14-11-310, relating to Masters-in-Equity, so as to require, as a part of the unified judicial system, a Master-in-Equity court for counties having a population of at least one hundred thirty thousand and to permit the other counties to have part-time Masters-in-Equity or to join other counties in creating the office, to increase the terms of Masters-in-Equity from four to six years, and to establish qualifications for the office, require an oath, and to prohibit or limit the practice of law by Masters-in-Equity, to provide for funding of Masters-in-Equity offices, to provide for the compensation of Masters-in-Equity, to provide for special Masters-in-Equity when the office of Master-in-Equity is vacant, and to alter the fee which Masters-in-Equity may collect; to amend Sections 14-27-20, 14-27-30, and 14-27-40, relating to the Judicial Council, so as to provide that two family court judges and two Masters-in-Equity must be appointed to the Council by the Chief Justice of the Supreme Court, to allow designees to serve instead of ex officio members, and to establish terms of the members; to amend the 1976 Code by adding Section 14-11-15 so as to provide that the Master-in-Equity is the judge of the equity court, a division of the circuit court; to amend Sections 8-21-760 and 14-23-1040, relating to probate judges, so as to provide for their compensation, to require funding of the operation of the probate court by the county, and to establish qualifications for holding the office; to amend the 1976 Code by adding Sections 8-21-765 and 9-11-25 so as to provide a compensation schedule for probate judges and to allow them to participate in the Police Officers Retirement System; and to repeal Sections 14-11-90, 14-11-140, 14-11-320, and 22-2-180 relating to Masters-in-Equity and magistrates.-amended title

<b>09/08/86</b>	<b>Senate</b>	<b>Prefiled</b>
<b>09/08/86</b>	<b>Senate</b>	<b>Referred to Committee on Judiciary</b>
<b>01/13/87</b>	<b>Senate</b>	<b>Introduced and read first time SJ-42</b>
<b>01/13/87</b>	<b>Senate</b>	<b>Referred to Committee on Judiciary SJ-44</b>
<b>04/28/87</b>	<b>Senate</b>	<b>Committee report: Favorable with amendment Judiciary SJ-1531</b>
<b>04/29/87</b>	<b>Senate</b>	<b>Read second time SJ-1585</b>
<b>04/29/87</b>	<b>Senate</b>	<b>Ordered to third reading with notice of amendments SJ-1585</b>
<b>05/27/87</b>	<b>Senate</b>	<b>Special order SJ-2403</b>
<b>06/04/87</b>	<b>Senate</b>	<b>Debate adjourned SJ-2777</b>
<b>01/13/88</b>	<b>Senate</b>	<b>Debate interrupted SJ-28</b>
<b>01/14/88</b>	<b>Senate</b>	<b>Debate interrupted SJ-17</b>
<b>02/16/88</b>	<b>Senate</b>	<b>Amended SJ-23</b>
<b>02/17/88</b>	<b>Senate</b>	<b>Amended SJ-23</b>
<b>02/17/88</b>	<b>Senate</b>	<b>Debate interrupted SJ-30</b>
<b>02/18/88</b>	<b>Senate</b>	<b>Amended SJ-52</b>
<b>02/18/88</b>	<b>Senate</b>	<b>Debate interrupted SJ-52</b>
<b>02/23/88</b>	<b>Senate</b>	<b>Debate interrupted SJ-30</b>
<b>02/25/88</b>	<b>Senate</b>	<b>Debate interrupted SJ-40</b>
<b>03/02/88</b>	<b>Senate</b>	<b>Amended SJ-42</b>
<b>03/02/88</b>	<b>Senate</b>	<b>Read third time and sent to House SJ-45</b>
<b>03/02/88</b>	<b>House</b>	<b>Introduced and read first time HJ-1687</b>
<b>03/02/88</b>	<b>House</b>	<b>Referred to Committee on Judiciary HJ-1690</b>
<b>05/19/88</b>	<b>House</b>	<b>Committee report: Favorable with amendment Judiciary HJ-3880</b>
<b>05/24/88</b>	<b>House</b>	<b>Special order, set for following Sen. Amendments on calendar (Under H 4307) HJ-3997</b>
<b>05/26/88</b>	<b>House</b>	<b>Amended HJ-4157</b>
<b>05/26/88</b>	<b>House</b>	<b>Read second time HJ-4197</b>

05/26/88	House	Unanimous consent for third reading on next legislative day HJ-4197
05/27/88	House	Read third time HJ-4259
05/27/88	House	Returned HJ-4259
05/31/88	Senate	Non-concurrence in House amendment SJ-7
05/31/88	House	House insists upon amendment and conference committee appointed Reps. Wilkins, Hayes & Hodges HJ-4445
06/01/88	Senate	Conference committee appointed Sens. Tom Smith, McConnell, Hayes
06/20/88	House	Free conference powers granted HJ-4835
06/20/88	House	Free conference committee appointed Wilkins, Hayes & Hodges HJ-4839
06/20/88	House	Free conference report received HJ-4839
06/20/88	House	Free conference report adopted HJ-4866
06/20/88	Senate	Free conference powers granted SJ-35
06/20/88	Senate	Free conference committee appointed Sens. Tom Smith, McConnell, Hayes SJ-35
06/20/88	Senate	Free conference report received SJ-35
06/20/88	Senate	Free conference report adopted SJ-35
06/20/88	Senate	Ordered enrolled for ratification SJ-70
06/21/88		Ratified R 806
07/25/88		Signed By Governor
07/25/88		Act No. 678
07/25/88		See act for exception to or explanation of effective date
08/08/88		Copies available