

Session 112 - (1997-1998)

S 0192 General Bill, By Holland, Giese and M.T. Rose

Similar (H 3063)

A BILL RATIFYING AN AMENDMENT TO SECTION 15, ARTICLE V OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO QUALIFICATIONS FOR JUSTICES OF THE SUPREME COURT AND JUDGES OF THE COURT OF APPEALS AND THE CIRCUIT COURT, SO AS TO INCREASE FROM TWENTY-SIX TO THIRTY-TWO THE AGE REQUIREMENT FOR ELECTION TO THESE OFFICES, TO INCREASE FROM FIVE TO EIGHT THE NUMBER OF YEARS WHICH A PERSON MUST HAVE BEEN A LICENSED ATTORNEY AT LAW IN ORDER TO BE ELIGIBLE FOR ELECTION TO THESE OFFICES, AND TO PROVIDE THAT ANY JUSTICE OR JUDGE SERVING IN OFFICE ON THE EFFECTIVE DATE OF THE PROVISIONS OF THIS SECTION REQUIRING A JUSTICE OR JUDGE TO BE THIRTY-TWO YEARS OF AGE AND TO HAVE EIGHT YEARS OF SERVICE AS A LICENSED ATTORNEY AT LAW WHO IS NOT OF THAT AGE OR WHO HAS NOT BEEN LICENSED FOR THIS REQUIRED PERIOD OF TIME MAY CONTINUE TO SERVE FOR THE REMAINDER OF HIS THEN CURRENT TERM AND IS CONSIDERED TO HAVE THE REQUISITE AGE AND YEARS OF SERVICE AS A LICENSED ATTORNEY FOR PURPOSES OF FUTURE RE-ELECTIONS TO THAT JUDICIAL OFFICE; AND RATIFYING AN AMENDMENT TO ARTICLE V OF THE CONSTITUTION, RELATING TO THE JUDICIAL DEPARTMENT BY ADDING SECTION 27 SO AS TO PROVIDE THAT THE GENERAL ASSEMBLY BY LAW SHALL ESTABLISH A JUDICIAL MERIT SELECTION COMMISSION TO CONSIDER THE QUALIFICATIONS AND FITNESS OF CANDIDATES FOR JUDICIAL POSITIONS ON THE COURTS OF THIS STATE WHICH ARE FILLED BY ELECTION OF THE GENERAL ASSEMBLY, TO PROVIDE THAT NO PERSON MAY BE ELECTED TO THESE JUDICIAL POSITIONS UNLESS HE OR SHE HAS BEEN FOUND QUALIFIED BY THE COMMISSION AND THAT THE GENERAL ASSEMBLY MUST ELECT THESE JUSTICES AND JUDGES FROM AMONG THE NOMINEES OF THE COMMISSION, TO PROVIDE THAT BEFORE A SITTING MEMBER OF THE GENERAL ASSEMBLY MAY SUBMIT AN APPLICATION WITH THE COMMISSION AND BEFORE IT MAY ACCEPT OR CONSIDER IT, THE MEMBER OF THE GENERAL ASSEMBLY MUST FIRST RESIGN HIS OFFICE AND HAVE BEEN OUT OF OFFICE FOR A PERIOD ESTABLISHED BY LAW, AND TO PROVIDE THAT BEFORE A MEMBER OF THE COMMISSION MAY SUBMIT AN APPLICATION AND BEFORE THE COMMISSION MAY ACCEPT OR CONSIDER IT, THAT PERSON MUST NOT HAVE BEEN A MEMBER OF THE COMMISSION FOR PERIOD ESTABLISHED BY LAW.

01/16/97	Senate	Introduced and read first time SJ-5
01/16/97	Senate	Referred to Committee on Judiciary SJ-5
01/30/97	Senate	Committee report: Favorable Judiciary SJ-18
02/04/97	Senate	Recommitted to Committee on Judiciary SJ-24