

Session 125 - (2023-2024)

H 5170 General Bill, By Pope, W. Newton, Caskey, Jordan, Bailey, Guffey, Wooten, Alexander, Bamberg, Wetmore, Wheeler, Bauer, Elliott, Connell, Pedalino, Hager, Crawford, Bradley, Schuessler, McDaniel, Cobb-Hunter, M.M. Smith, Taylor, B.L. Cox, Leber, Brittain, Sessions, T. Moore, Mitchell, Guest, Yow, Gatch, Thayer, West, Thigpen, King, J.E. Johnson, Magnuson, B. Newton, Ligon, Felder, McGinnis, Hardee, Hyde, Bannister, Bernstein, Blackwell, B.J. Cox, Dillard, Erickson, Forrest, Gagnon, Haddon, Herbkersman, Hixon, Pendarvis, Sandifer, G.M. Smith, Ott and Carter

Summary: Judicial Merit Selection Commission, reform

A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING CHAPTER 19 OF TITLE 2, BY RENAMING THE CHAPTER THE "SOUTH CAROLINA JUDICIAL MERIT SELECTION COMMISSION, SCREENING AND ELECTION OF JUSTICES AND JUDGES", SO AS TO CREATE THE NEW SOUTH CAROLINA JUDICIAL MERIT SELECTION COMMISSION AND RESTRUCTURE THE PROCESS BY WHICH JUSTICES AND JUDGES ARE SCREENED AND ELECTED, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION AND ITS LIMITED TERMS, TO REQUIRE THE COMMISSION TO HAVE AN EXECUTIVE DIRECTOR AND OTHER NECESSARY STAFF, TO REQUIRE THE RELEASE OF ALL QUALIFIED JUDICIAL CANDIDATES, TO CREATE A COMBINED BAR AND CITIZENS' JUDICIAL QUALIFICATIONS COMMITTEE, TO CREATE A MIDTERM JUDICIAL BALLOT BOX REVIEW, TO GIVE DELEGATIONS THE AUTHORITY TO REJECT A MASTER-IN-EQUITY CANDIDATE IN ADDITION TO THE GOVERNOR'S AUTHORITY TO DO SO, TO CREATE A SUBCOMMITTEE OF THE COMMISSION TO SCREEN MAGISTRATE CANDIDATES BEFORE THE GOVERNOR APPOINTS, AMONG OTHER THINGS AND TO MAKE OTHER CONFORMING CHANGES; BY AMENDING SECTION 22-1-10, RELATING TO THE APPOINTMENT OF MAGISTRATES, SO AS TO PROVIDE THAT A MAGISTRATE MAY SERVE IN HOLDOVER STATUS FOR NO MORE THAN FOURTEEN DAYS AT THE END OF HIS TERM, TO PROVIDE THAT THE GOVERNOR MAY APPOINT A TEMPORARY MAGISTRATE UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT ANY MAGISTRATE OR MAGISTRATE CANDIDATE WHO HAS BEEN REPRIMANDED BY THE SUPREME COURT OR ANY OTHER DISCIPLINARY AUTHORITY MAY NOT BE APPOINTED OR REAPPOINTED UNLESS APPROVED BY A MAJORITY OF THE SENATE AFTER THE SENATE IS INFORMED OF THE REPRIMAND OR DISCIPLINARY ACTION; BY AMENDING SECTION 22-3-10, RELATING TO THE CIVIL JURISDICTION OF THE MAGISTRATES COURT, SO AS TO INCREASE THE CIVIL JURISDICTION FROM SEVEN THOUSAND FIVE HUNDRED DOLLARS TO TWENTY-FIVE THOUSAND DOLLARS; AND BY AMENDING SECTION 22-3-550, RELATING TO MAGISTRATES COURT CRIMINAL JURISDICTION OVER MINOR OFFENSES, SO AS TO INCREASE THE PENALTY TO ONE YEAR AND INCREASE THE FINE OR FORFEITURE JURISDICTION FROM FIVE HUNDRED TO TWENTY-FIVE THOUSAND DOLLARS; AND TO DIRECT THE DEPARTMENT OF ADMINISTRATION TO CONDUCT AN ANALYSIS OF OFFICE SPACE AND OTHER RELEVANT INFORMATION AND REPORT TO THE GENERAL ASSEMBLY THE COSTS OF THE TRANSFER OF THE JUDICIAL MERIT SELECTION COMMISSION TO INDEPENDENT OFFICE SPACE WHEN IT CONVERTS TO THE SOUTH CAROLINA JUDICIAL MERIT SELECTION COMMISSION, AND TO PROVIDE THAT THE STANDALONE, INDEPENDENT AGENCY MUST BE CREATED AND FUNCTIONAL BY JULY 1, 2025.

02/28/24 House Introduced and read first time (House Journal-page 20)

02/28/24 House Referred to Committee on Judiciary (House Journal-page 20)

02/29/24 House Member(s) request name added as sponsor: Carter