**South Carolina General Assembly**

118th Session, 2009-2010

**S. 1035**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Senator Elliott

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Introduced in the Senate on January 12, 2010

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

Summary: Governor

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/12/2010 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2010\01-12-10.docx)‑62

1/12/2010 Senate Referred to Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2010\01-12-10.docx)‑62

1/19/2010 Senate Referred to Subcommittee: L.Martin (ch), Knotts, Campbell, Coleman, Nicholson

**VERSIONS OF THIS BILL**

[1/12/2010](file:///p:\pprever\2009-10\1035_20100112.docx)

**A** **JOINT RESOLUTION**

PROPOSING AN AMENDMENT TO SECTION 12, ARTICLE IV OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO DISABILITY OF THE GOVERNOR, SO AS TO PROVIDE THAT IF THE GOVERNOR IS PHYSICALLY ABSENT FROM THE STATE FOR A PERIOD OF TWENTY‑FOUR HOURS OR MORE, HE SHALL NOTIFY THE LIEUTENANT GOVERNOR OF HIS ABSENCE AS SOON AS POSSIBLE BUT NOT LATER THAN TWENTY‑FOUR HOURS AFTER THE ABSENCE HAS BEGUN, AND THE LIEUTENANT GOVERNOR SHALL AT THAT TIME BECOME ACTING GOVERNOR FOR THE DURATION OF THE ABSENCE, AND TO PROVIDE THAT IF THE ABSENCE OCCURS FOR A PERIOD OF THIRTY DAYS OR MORE, THE GENERAL ASSEMBLY SHALL DETERMINE WHETHER OR NOT THE GOVERNOR SHALL RESUME THE POWERS AND DUTIES OF HIS OFFICE OR WHETHER THE LIEUTENANT GOVERNOR SHALL CONTINUE TO DISCHARGE THESE POWERS AND DUTIES AS ACTING GOVERNOR.

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

SECTION 1. It is proposed that Section 12, Article IV of the Constitution of this State be amended by adding:

“(3) In addition to the above provisions of this section, if the Governor is physically absent from the State for a period of twenty‑four hours or more, he shall notify the Lieutenant Governor of his absence as soon as possible but not later than twenty‑four hours after the absence has begun, and the Lieutenant Governor shall at that time become acting Governor for the duration of the absence. If the absence occurs for a period of thirty days or more, the General Assembly in the manner and under the procedures specified in item (2) above shall determine whether or not the Governor shall resume the powers and duties of his office or whether the Lieutenant Governor shall continue to discharge these powers and duties as acting Governor.”

SECTION 2. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Section 12, Article IV of the Constitution of this State, relating to disability of the Governor, be amended so as to provide that if the Governor is physically absent from the State for a period of twenty‑four hours or more, he shall notify the Lieutenant Governor of his absence as soon as possible but not later than twenty‑four hours after the absence has begun, and the Lieutenant Governor shall at that time become acting Governor for the duration of the absence, and to provide that if the absence occurs for a period of thirty days or more, the General Assembly shall determine whether or not the Governor shall resume the powers and duties of his office or whether the Lieutenant Governor shall continue to discharge these powers and duties as acting Governor?

Yes 

No 

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

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