**South Carolina General Assembly**

120th Session, 2013-2014

**S. 235**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Senator Bright

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Introduced in the Senate on January 15, 2013

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

Summary: Magistrate Judge appointments

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/15/2013 Senate Introduced and read first time ([Senate Journal‑page 10](file:///h:\SJ%20Archive\2013\01-15-13.docx))

1/15/2013 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 10](file:///h:\SJ%20Archive\2013\01-15-13.docx))

**VERSIONS OF THIS BILL**

[1/15/2013](file:///p:\pprever\2013-14\235_20130115.docx)

**A** **JOINT RESOLUTION**

TO AMEND SECTION 26, ARTICLE V OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE APPOINTMENT OF MAGISTRATES, TO PROVIDE THAT MAGISTRATES MUST BE APPOINTED BY A MAJORITY OF THE RESIDENT CIRCUIT COURT JUDGES IN THE JUDICIAL CIRCUIT WHERE THE MAGISTRATE WILL SERVE.

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

SECTION 1. It is proposed that Section 26, Article V of the Constitution be amended to read:

“Section 26. ~~The Governor, by and with the advice and consent of the Senate, shall appoint a~~ Magistrates for each county must be appointed by a majority vote of the resident circuit court judges in the judicial circuit where the magistrate will serve. The number of magistrates appointed for each county ~~as~~ shall be provided by law. The General Assembly shall provide for their terms of office and their civil and criminal jurisdiction. The terms of office must be uniform throughout the State.”

SECTION 2. The proposed amendment in Section 1 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 26, Article V of the Constitution of this State, relating to the appointment of magistrates, be changed to provide that magistrates be appointed by a majority vote of the resident circuit court judges in the judicial circuit where the magistrate will serve rather than be appointed by the Governor, by and with the advice and consent of the Senate?

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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