**South Carolina General Assembly**

120th Session, 2013-2014

**H. 3055**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Rutherford

Document Path: l:\council\bills\ms\7027ahb13.docx

Introduced in the House on January 8, 2013

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

Summary: Magistrates

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/11/2012 House Prefiled

12/11/2012 House Referred to Committee on **Judiciary**

1/8/2013 House Introduced and read first time ([House Journal‑page 69](file:///h:\HJ%20Archive\2013\01-08-13.docx))

1/8/2013 House Referred to Committee on **Judiciary** ([House Journal‑page 69](file:///h:\HJ%20Archive\2013\01-08-13.docx))

**VERSIONS OF THIS BILL**

[12/11/2012](file:///p:\pprever\2013-14\3055_20121211.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 22‑3‑915 SO AS TO PROVIDE THAT A MAGISTRATE MAY NOT COMMENCE A TRIAL OR ANOTHER PROCEEDING, OR REQUIRE AN ATTORNEY TO APPEAR OR BE PRESENT IN COURT, ON SATURDAY, SUNDAY, OR AFTER FIVE O’CLOCK ON A WEEKDAY EXCEPT IN THE CASE OF AN EMERGENCY AND TO PROVIDE CERTAIN MINIMUM LEVELS OF COMPENSATION FOR JURORS AND OVERTIME PAY FOR COURT PERSONNEL IN THE EVENT OF AN EMERGENCY.

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

SECTION 1. Article 9, Chapter 3, Title 22 of the 1976 Code is amended by adding:

“Section 22‑3‑915. (A) Notwithstanding a court rule or another provision of law, a magistrate may not commence a trial or another proceeding, or require an attorney to appear or be present in the court, on Saturday, Sunday, or after five o’clock on a weekday except in the case of an emergency.

(B) If a magistrate determines an emergency exists and court must be held:

(1) after five o’clock on a weekday, compensation for jurors must be no less than one hundred dollars per day and court personnel must be paid overtime; and

(2) on the weekend, compensation for jurors must be no less than one hundred fifty dollars per day and court personnel must be paid overtime.

(C) The provisions of subsection (A) do not apply to bond hearings.”

SECTION 2. This act takes effect upon approval by the Governor.

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