**South Carolina General Assembly**

121st Session, 2015-2016

**H. 4083**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Corley

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Introduced in the House on April 29, 2015

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

Summary: Appointment of municipal judges

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/29/2015 House Introduced and read first time ([House Journal‑page 2](file:///h:\HJ%20Archive\2015\04-29-15.docx))

4/29/2015 House Referred to Committee on **Judiciary** ([House Journal‑page 2](file:///h:\HJ%20Archive\2015\04-29-15.docx))

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**VERSIONS OF THIS BILL**

[4/29/2015](file:///p:\pprever\2015-16\4083_20150429.docx)

**A** **BILL**

TO AMEND SECTION 14-25-15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPOINTMENT AND QUALIFICATIONS OF MUNICIPAL JUDGES, SO AS TO PROVIDE THAT A PERSON MAY NOT BE APPOINTED AS A MUNICIPAL JUDGE WHO HAS BEEN FOUND TO HAVE COMMITTED A PREVIOUS VIOLATION OF ETHICS ACT PROVISIONS BY THE STATE ETHICS COMMISSION OR THE SOUTH CAROLINA HOUSE OR SENATE ETHICS COMMITTEES FOR A CERTAIN PERIOD OF TIME AFTER A VIOLATION, AND TO PROVIDE THAT A MUNICIPAL JUDGE REMOVED FROM OFFICE BY THE SUPREME COURT OR GOVERNOR FOR MISCONDUCT OR NEGLECT OF DUTY IS NOT ELIGIBLE FOR REAPPOINTMENT UNTIL FIVE YEARS FROM THE DATE OF REMOVAL; AND BY ADDING SECTION 22-1-35 SO AS TO PROVIDE THAT A PERSON MAY NOT BE APPOINTED AS A MAGISTRATE WHO HAS BEEN FOUND TO HAVE COMMITTED A PREVIOUS VIOLATION OF ETHICS ACT PROVISIONS BY THE STATE ETHICS COMMISSION OR THE SOUTH CAROLINA HOUSE OR SENATE ETHICS COMMITTEES FOR A CERTAIN PERIOD OF TIME AFTER A VIOLATION, AND TO PROVIDE THAT A MAGISTRATE REMOVED FROM OFFICE BY THE SUPREME COURT OR GOVERNOR FOR MISCONDUCT OR NEGLECT OF DUTY IS NOT ELIGIBLE FOR REAPPOINTMENT UNTIL FIVE YEARS FROM THE DATE OF REMOVAL.

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

SECTION 1. Section 14-25-15 of the 1976 Code, as last amended by Act 238 of 2004, is further amended by adding an appropriately lettered subsection at the end to read:

“( ) A person may not be appointed as a municipal judge pursuant to the provisions of this section who has been found previously to have violated a provision of Chapter 13, Title 8, by the State Ethics Commission, the South Carolina Senate Ethics Committee, the South Carolina House of Representatives Ethics Committee, or any of their successor entities, for a period of not less than five years after the resolving of such ethics violation. In addition, a municipal judge removed by the Supreme Court or the Governor for misconduct or neglect of duty, as provided by law, is not eligible for reappointment until at least five years from the date of such removal.”

SECTION 2. Chapter 1, Title 22 of the 1976 Code is amended by adding:

“Section 22-1-35. A person may not be appointed as a magistrate pursuant to the provisions of this chapter who has been found previously to have violated a provision of Chapter 13, Title 8, by the State Ethics Commission, the South Carolina Senate Ethics Committee, the South Carolina House of Representatives Ethics Committee, or any of their successor entities, for a period of not less than five years after the resolving of such ethics violation. In addition, a magistrate removed by the Supreme Court or the Governor for misconduct or neglect of duty, as provided by law, is not eligible for reappointment until at least five years from the date of such removal.”

SECTION 3. This act takes effect upon approval by the Governor.

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