**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3276**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Gilliam, Haddon and Pope

Document Path: l:\council\bills\cc\15820zw21.docx

Introduced in the House on January 12, 2021

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

Summary: Sheriff, vacancy

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 House Prefiled

12/9/2020 House Referred to Committee on **Judiciary**

1/12/2021 House Introduced and read first time ([House Journal‑page 142](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 142](file:///h:\hj\20210112.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3276&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\3276_20201209.docx)

**A** **BILL**

TO AMEND SECTION 23‑11‑40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VACANCIES IN THE OFFICE OF SHERIFF, SO AS TO PROVIDE THAT WHEN THE GOVERNOR HAS APPOINTED AN INTERIM SHERIFF WHO THEN RUNS UNSUCCESSFULLY FOR SHERIFF IN THE ENSUING PRIMARY, PRIMARY RUNOFF, SPECIAL ELECTION, OR GENERAL ELECTION, THE GOVERNOR MAY, WITH THE ADVICE AND CONSENT OF THAT COUNTY’S LEGISLATIVE DELEGATION, DECLARE THE OFFICE VACANT, REMOVE THE INTERIM APPOINTEE FROM OFFICE, AND APPOINT THE SHERIFF‑ELECT TO FILL THE REMAINDER OF THE ORIGINAL UNEXPIRED TERM.

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

SECTION 1. Section 23‑11‑40 of the 1976 Code is amended by adding an appropriately lettered subsection at the end read:

“( ) Notwithstanding another provision of law or of this section, if the Governor has appointed an interim sheriff pursuant to this section and the Governor’s appointee runs unsuccessfully for sheriff in the ensuing primary, primary runoff, special election, or general election, then upon certification of the election results, the Governor may, with the advice and consent of that county’s legislative delegation, declare the office vacant, remove the interim appointee from office, and appoint the sheriff‑elect to fill the remainder of the original unexpired term.”

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

‑‑‑‑XX‑‑‑‑