**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4989**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. A.M. Morgan, May, J.L. Johnson, Sessions, T.A. Morgan, B.J. Cox, S. Jones, Oremus, Long, Trantham, O'Neal, White, McCabe, Burns, Landing, Herbkersman, Pace, Willis, Haddon, Harris, Leber, Pedalino and Carter

Companion/Similar bill(s): 215

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Introduced in the House on January 31, 2024

Currently residing in the House

Summary: General Assembly, judgeships for immediate family members

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/31/2024 House Introduced and read first time (House Journal‑page 11)

 1/31/2024 House Referred to Committee on **Judiciary** (House Journal‑page 11)

 2/1/2024 House Member(s) request name added as sponsor: Carter

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=4989&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[01/31/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/4989_20240131.docx)

A bill

TO AMEND THE SOUTH CAROLINA code of laws BY ADDING SECTION 2-1-105 SO AS TO PROVIDE AFTER JULY 1, 2024, A PERSON MAY NOT BE ELECTED OR APPOINTED TO A JUDICIAL OFFICE THAT IS FILLED BY ELECTION OR APPOINTMENT OF THE GENERAL ASSEMBLY IF THAT PERSON IS AN IMMEDIATE FAMILY MEMBER OF A SITTING MEMBER OF THE GENERAL ASSEMBLY, OR A FORMER MEMBER OF THE GENERAL ASSEMBLY WHOSE MOST RECENT TERM OF LEGISLATIVE SERVICE ENDED LESS THAN ONE YEAR PRIOR TO THE GENERAL ASSEMBLY’S ELECTION OR APPOINTMENT OF THE OFFICE IN QUESTION.

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

SECTION 1. Chapter 1, Title 2 of the S.C. Code is amended by adding:

 Section 2‑1‑105. (A) Notwithstanding another provision of law, after July 1, 2024, a person may not be elected or appointed to a judicial office that is filled by election or appointment of the General Assembly if that person is an immediate family member of a:

 (1) sitting member of the General Assembly; or

 (2) former member of the General Assembly whose most recent term of legislative service ended less than one year prior to the General Assembly’s election or appointment of the office in question.

 (B) The provisions of this section do not apply to an immediate family member of a sitting member of the General Assembly serving in a judicial office described in subsection (A) on the effective date of this section.

 (C) For purposes of this section, the term “immediate family” is as defined in Section 2‑17‑10(7).

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

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