

Session 114 - (2001-2002)

H 3205 General Bill, By Altman

Summary: Laws, acts, resolutions enacted by General Assembly afforded presumption of legality, constitutionality

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-7-25 SO AS TO PROVIDE THAT ACTS, RESOLUTIONS, OR LAWS OF THIS STATE ENACTED BY THE GENERAL ASSEMBLY ARE AFFORDED A PRESUMPTION OF LEGALITY AND CONSTITUTIONALITY, TO PROVIDE FOR THE BURDEN OF PROOF A PLAINTIFF MUST MEET IN SEEKING TO OVERTURN AN ACT, RESOLUTION, OR LAW OF THIS STATE, AND TO PROVIDE THAT THE ATTORNEY GENERAL, UPON CONCLUSION OF SUCH AN ACTION, PROMPTLY SHALL NOTIFY CERTAIN OFFICERS OF THE GENERAL ASSEMBLY IF A COURT DECLARES AN ACT, RESOLUTION, OR LAW UNCONSTITUTIONAL, INVALID, OR WITHOUT FORCE AND EFFECT.

01/10/01 House Introduced and read first time HJ-2

01/10/01 House Referred to Committee on Judiciary HJ-2