

## Session 117 - (2007-2008)

**H 4328 (Rat #0290) General Bill, By Harrison, Delleney, Haskins, G.M. Smith, Cotty, McLeod and Hart  
Similar (H 3575)**

**Summary:** Administrative law court

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-23-505 SO AS TO DEFINE CERTAIN TERMS; BY ADDING SECTION 1-23-535 SO AS TO PROVIDE THAT THE ADMINISTRATIVE LAW COURT SHALL HAVE AN OFFICIAL SEAL; TO AMEND SECTION 1-23-310, RELATING TO DEFINITIONS FOR PURPOSES OF ADMINISTRATIVE PROCEDURES, SO AS TO CHANGE A REFERENCE TO THE ADMINISTRATIVE LAW JUDGE DIVISION TO THE ADMINISTRATIVE LAW COURT; TO AMEND SECTION 1-23-320, RELATING TO CONTESTED CASE HEARINGS, SO AS TO DELETE A PROVISION REGARDING THE HANDLING OF ATTENDANCE AND TESTIMONY OF WITNESSES, PRODUCTION OF BOOKS, PAPERS, AND RECORDS, AND OTHER PROCEDURAL MATTERS AND TO PROVIDE FOR ENFORCEMENT OR RELIEF FROM AN AGENCY SUBPOENA BEFORE THE COURT; TO AMEND SECTION 1-23-380, AS AMENDED, RELATING TO JUDICIAL REVIEW AFTER EXHAUSTION OF ADMINISTRATIVE REMEDIES, SO AS TO DELETE REFERENCES TO THE ADMINISTRATIVE LAW COURT AND TO REVIEW BY AN ADMINISTRATIVE LAW JUDGE OF A FINAL DECISION IN A CONTESTED CASE TO CONFORM THE PROCEDURES TO OTHER PROCEDURAL PROVISIONS REGARDING THE COURT; TO AMEND SECTION 1-23-560, RELATING TO THE APPLICATION OF THE CODE OF JUDICIAL CONDUCT TO THE ADMINISTRATIVE LAW COURT, SO AS TO PROVIDE THAT THE CODE OF JUDICIAL CONDUCT SERVES AS THE SOLE GROUNDS FOR DISCIPLINE OF ADMINISTRATIVE LAW JUDGES AND TO ALLOW ADMINISTRATIVE LAW JUDGES AND SPOUSES TO ACCEPT INVITATIONS TO CERTAIN JUDICIAL-RELATED FUNCTIONS; TO AMEND SECTION 1-23-600, AS AMENDED, RELATING TO HEARINGS AND PROCEEDINGS OF THE ADMINISTRATIVE LAW COURT, SO AS TO CONFORM THE PROCEDURES TO OTHER PROCEDURAL PROVISIONS REGARDING THE COURT AND TO PROHIBIT THE HEARING OF CERTAIN INMATE APPEALS BY THE COURT; TO AMEND SECTION 1-23-610, AS AMENDED, RELATING TO REVIEW OF DECISIONS OF THE ADMINISTRATIVE LAW COURT, SO AS TO CONFORM THE PROCEDURES TO OTHER PROCEDURAL PROVISIONS REGARDING THE COURT AND TO DELETE THE PROVISION REQUIRING APPROPRIATED MONIES TO BE USED FOR THE SAME PURPOSE INDEFINITELY; AND TO AMEND SECTION 1-23-640, RELATING TO THE VENUE WHERE ADMINISTRATIVE LAW COURT CASES ARE HEARD, SO AS TO PROVIDE THAT CONTESTED CASES WILL BE HEARD AT THE PRINCIPAL OFFICES OR AT ANOTHER SUITABLE LOCATION UNDER CERTAIN CIRCUMSTANCES. - ratified title

12/05/07	House	Prefiled
12/05/07	House	Referred to Committee on Judiciary
01/08/08	House	Introduced and read first time HJ-33
01/08/08	House	Referred to Committee on Judiciary HJ-34
01/30/08	House	Committee report: Favorable Judiciary HJ-4
01/31/08		Scrivener's error corrected
02/05/08	House	Member(s) request name added as sponsor: McLeod, Hart
02/05/08	House	Read second time HJ-42
02/05/08	House	Roll call Yeas-106 Nays-0 HJ-44
02/06/08	House	Read third time and sent to Senate HJ-14
02/06/08	Senate	Introduced and read first time SJ-15
02/06/08	Senate	Referred to Committee on Judiciary SJ-15
02/11/08	Senate	Referred to Subcommittee: Martin (ch), Ford, Ritchie, Knotts, Cleary
05/07/08	Senate	Committee report: Favorable with amendment Judiciary SJ-9
05/13/08	Senate	Committee Amendment Adopted SJ-14
05/13/08	Senate	Read second time SJ-14
05/14/08		Scrivener's error corrected
05/14/08	Senate	Read third time and returned to House with amendments SJ-15
05/22/08	House	Concurred in Senate amendment and enrolled HJ-106
05/22/08	House	Roll call Yeas-84 Nays-20 HJ-110
05/22/08		Ratified R 290
05/28/08		Vetoed by Governor
05/29/08	House	Veto sustained: Yeas-66 Nays-44 HJ-96

05/29/08 House Debate adjourned on the motion to reconsider the vote whereby the veto was sustained until Tuesday, June 3, 2008 HJ-137

06/03/08 House Reconsider vote whereby veto sustained HJ-147

06/03/08 House Roll call Yeas-88 Nays-21 HJ-149

06/03/08 House Veto overridden by originating body Yeas-92 Nays-26 HJ-149

10/24/08 Senate No legislative action on Veto