**South Carolina General Assembly**

118th Session, 2009-2010

**H. 4275**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Reps. Haley, Wylie and Scott

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Companion/Similar bill(s): 4410

Introduced in the House on January 12, 2010

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

Summary: General Assembly

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/15/2009 House Prefiled

12/15/2009 House Referred to Committee on **Judiciary**

1/12/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\01-12-10.docx)‑55

1/12/2010 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2010\01-12-10.docx)‑55

4/15/2010 House Member(s) request name added as sponsor: Scott

**VERSIONS OF THIS BILL**

[12/15/2009](file:///p:\pprever\2009-10\4275_20091215.docx)

**A** **JOINT RESOLUTION**

PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO QUALIFICATIONS OF MEMBERS OF THE SENATE AND HOUSE OF REPRESENTATIVES, SO AS TO PROVIDE THAT BEGINNING WITH THE GENERAL ELECTION OF 2012, ANY PERSON WHO HAS SERVED AT LEAST FOUR FULL TERMS IN THE HOUSE OF REPRESENTATIVES OR WHO HAS SERVED AT LEAST TWELVE YEARS IN THE GENERAL ASSEMBLY IN EITHER THE HOUSE OF REPRESENTATIVES OR THE SENATE, IS NOT ELIGIBLE TO SERVE AS A MEMBER OF THE HOUSE OF REPRESENTATIVES, AND TO PHASE THIS PROVISION IN ON A STAGGERED BASIS BASED ON HOUSE SENIORITY; AND TO PROVIDE THAT BEGINNING WITH THE GENERAL ELECTION OF 2012, ANY PERSON WHO HAS SERVED AT LEAST TWO FULL TERMS IN THE SENATE OR WHO HAS SERVED AT LEAST TWELVE YEARS IN THE GENERAL ASSEMBLY IN EITHER THE HOUSE OR THE SENATE, IS NOT ELIGIBLE TO SERVE AS A MEMBER OF THE SENATE, AND TO PHASE THIS PROVISION IN ON A STAGGERED BASIS BASED ON SENATE SENIORITY.

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

SECTION 1. It is proposed that Section 7, Article III of the Constitution of this State be amended by adding a new paragraph at the end to read:

“Persons who have previous service in the General Assembly are not eligible to serve as a member of the House of Representatives as follows:

(1) Beginning with the 2012 general election, of the current members of the House who have served at least four full terms in the House of Representatives or who have served at least twelve years in the General Assembly in either the House or the Senate, the one-third most senior in terms of House service are not eligible to serve as a member of the House of Representatives. This provision also applies beginning with the 2012 general election to all former members of the General Assembly who come within the service prohibitions of this item.

(2) Beginning with the 2014 general election, of the current members of the House who have served at least four full terms in the House of Representatives or who have served at least twelve years in the General Assembly in either the House or the Senate, the one-third most senior in terms of House service are not eligible to serve as a member of the House of Representatives.

(3) Beginning with the 2016 general election, of the current members of the House who have served at least four full terms in the House of Representatives or who have served at least twelve years in the General Assembly in either the House or the Senate, the one-third most senior in terms of House service are not eligible to serve as a member of the House of Representatives.

(4) Beginning with the 2018 general election, any person who has served at least four full terms in the House of Representatives or who has served at least twelve years in the General Assembly in either the House or the Senate, is not eligible to serve as a member of the House of Representatives.”

SECTION 2. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Section 7, Article III of the Constitution of this State, relating to qualifications of members of the Senate and House of Representatives, be amended so as to provide that persons who have previous service in the General Assembly are not eligible to serve as a member of the House of Representatives as follows:

(1) Beginning with the 2012 general election, of the current members of the House who have served at least four full terms in the House of Representatives or who have served at least twelve years in the General Assembly in either the House or the Senate, the one-third most senior in terms of House service are not eligible to serve as a member of the House of Representatives. This provision also applies beginning with the 2012 general election to all former members of the General Assembly who come within the service prohibitions of this item.

(2) Beginning with the 2014 general election, of the current members of the House who have served at least four full terms in the House of Representatives or who have served at least twelve years in the General Assembly in either the House or the Senate, the one-third most senior in terms of House service are not eligible to serve as a member of the House of Representatives.

(3) Beginning with the 2016 general election, of the current members of the House who have served at least four full terms in the House of Representatives or who have served at least twelve years in the General Assembly in either the House or the Senate, the one-third most senior in terms of House service are not eligible to serve as a member of the House of Representatives.

(4) Beginning with the 2018 general election, any person who has served at least four full terms in the House of Representatives or who has served at least twelve years in the General Assembly in either the House or the Senate, is not eligible to serve as a member of the House of Representatives?

Yes 

No 

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

SECTION 3. It is proposed that Section 7, Article III of the Constitution of this State be amended by adding a new paragraph at the end to read:

“Persons who have previous service in the General Assembly are not eligible to serve as a member of the Senate as follows:

(1) Beginning with the 2012 general election, of the current members of the Senate who have served at least two full terms in the Senate or who have served at least twelve years in the General Assembly in either the House or the Senate, the one-half most senior in terms of Senate service are not eligible to serve as a member of the Senate. This provision also applies beginning with the 2012 general election to all former members of the General Assembly who come within the service prohibitions of this item.

(2) Beginning with the 2016 general election, of the current members of the Senate who have served at least two full terms in the Senate or who have served at least twelve years in the General Assembly in either the House or the Senate, the one-half most senior in terms of Senate service are not eligible to serve as a member of the Senate.

(3) Beginning with the 2020 general election, any person who has served at least two full terms in the Senate or who has served at least twelve years in the General Assembly in either the House or the Senate, is not eligible to serve in the Senate.”

SECTION 4. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Section 7, Article III of the Constitution of this State, relating to qualifications of members of the Senate and House of Representatives, be amended so as to provide that persons who have previous service in the General Assembly are not eligible to serve as a member of the Senate as follows:

(1) Beginning with the 2012 general election, of the current members of the Senate who have served at least two full terms in the Senate or who have served at least twelve years in the General Assembly in either the House or the Senate, the one-half most senior in terms of Senate service are not eligible to serve as a member of the Senate. This provision also applies beginning with the 2012 general election to all former members of the General Assembly who come within the service prohibitions of this item.

(2) Beginning with the 2016 general election, of the current members of the Senate who have served at least two full terms in the Senate or who have served at least twelve years in the General Assembly in either the House or the Senate, the one-half most senior in terms of Senate service are not eligible to serve as a member of the Senate.

(3) Beginning with the 2020 general election, any person who has served at least two full terms in the Senate or who has served at least twelve years in the General Assembly in either the House or the Senate, is not eligible to serve in the Senate?

Yes 

No 

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

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