~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

January 28, 2009

**S. 156**

Introduced by Senators Campsen, Rose, Elliott, Davis, Bright, Ford and Knotts

S. Printed 1/28/09--S. [SEC 1/29/09 3:21 PM]

Read the first time January 13, 2009.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 156) to amend the 1976 Code to enact the “Judicial Elections Reform Act” by amending Section 2‑19‑70, relating to pledging, to prohibit a person, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

GERALD MALLOY for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

The Senate and the House of Representatives

The Legislature reports this bill will have no impact on the General Fund of the State or on federal and/or other funds.

*Approved By:*

Harry Bell

Office of State Budget

**A** **BILL**

TO AMEND THE 1976 CODE TO ENACT THE “JUDICIAL ELECTIONS REFORM ACT” BY AMENDING SECTION 2‑19‑70, RELATING TO PLEDGING, TO PROHIBIT A PERSON OR JUDICIAL CANDIDATE FROM DIRECTLY OR INDIRECTLY SEEKING THE PLEDGE OF A MEMBER OF THE GENERAL ASSEMBLY REGARDING SCREENING FOR ANY JUDICIAL OFFICE UNTIL THE QUALIFICATIONS OF ALL THE CANDIDATES HAVE BEEN DETERMINED BY THE JUDICIAL MERIT SELECTION COMMISSION AND THE COMMISSION HAS FORMALLY RELEASED ITS REPORT.

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

SECTION 1. This act may be cited as the “Judicial Elections Reform Act”.

SECTION 2. Subsections (C) and (D) of Section 2‑19‑70 of the 1976 Code are amended to read:

“(C) No ~~candidate for judicial office~~ person may directly or indirectly seek ~~directly or indirectly~~ the pledge of a member of the General Assembly’s vote or, directly or indirectly, contact a member of the General Assembly regarding screening for ~~the~~ any judicial office until the qualifications of all candidates for that office have been determined by the Judicial Merit Selection Commission and the commission has formally released its report as to the qualifications of all candidates for the vacancy to the General Assembly. No member of the General Assembly may directly or indirectly offer his pledge to any person who plans to seek any judicial office or to any candidate until the qualifications of all candidates for that office have been determined by the Judicial Merit Selection Commission and until the commission has formally released its report as to the qualifications of its nominees to the General Assembly. The formal release of the report of qualifications shall occur no earlier than forty‑eight hours after the nominees have been initially released to members of the General Assembly. For purposes of this section, indirectly seeking a pledge means ~~the~~ a person, a candidate, or someone acting on behalf of and at the request of ~~the~~ a person or a candidate, requesting ~~a person~~ someone to contact a member of the General Assembly on behalf of ~~the~~ a person or a candidate before nominations for that office are formally made by the commission. The prohibitions of this section do not extend to an announcement of candidacy by the candidate and statements by the candidate detailing the candidate’s qualifications.

(D) No member of the General Assembly may trade anything of value, including pledges to vote for legislation or for other persons or candidates, in exchange for another member’s pledge to vote for a candidate for judicial office.”

SECTION 3. This act takes effect upon approval by the Governor.

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