**South Carolina General Assembly**

119th Session, 2011-2012

**S. 270**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Rose

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Introduced in the Senate on January 11, 2011

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

Summary: Master-in-equity

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/15/2010 Senate Prefiled

12/15/2010 Senate Referred to Committee on **Judiciary**

1/11/2011 Senate Introduced and read first time ([Senate Journal‑page 123](file:///h:\sj%20archive\2011\01-11-11.docx))

1/11/2011 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 123](file:///h:\sj%20archive\2011\01-11-11.docx))

1/9/2012 Senate Referred to Subcommittee: L.Martin (ch), Rankin, Hutto, Bright, Davis

**VERSIONS OF THIS BILL**

[12/15/2010](file:///p:\pprever\2011-12\270_20101215.docx)

**A** **BILL**

TO AMEND SECTION 2‑19‑110, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO RECOMMENDATIONS BY COUNTY LEGISLATIVE DELEGATIONS REGARDING MASTER‑IN‑EQUITY CANDIDATES, SO AS TO SET A TIME IN WHICH THE LOCAL DELEGATION MUST FORWARD THE NAME OF THE MASTER‑IN‑EQUITY CANDIDATE TO THE GOVERNOR FOR CONSIDERATION OF APPOINTMENT OR THE GOVERNOR MAY APPOINT ANY CANDIDATE FOUND QUALIFIED BY THE JUDICIAL MERIT SELECTION COMMISSION, AND TO PERMIT THE GOVERNOR TO SELECT AND APPOINT FROM THE CANDIDATES APPROVED BY THE COMMISSION IF THE GOVERNOR REJECTS THE FIRST CANDIDATE’S NAME SUBMITTED FOR CONSIDERATION BY THE LOCAL DELEGATION, AND THE DELEGATION DOES NOT SUBMIT ANOTHER CANDIDATE’S NAME WITHIN SIXTY DAYS TO THE GOVERNOR.

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

SECTION 1. Section 2‑19‑110 of the 1976 Code, as last amended by Act No. 391, is amended to read:

Upon a vacancy in the office of master in equity, candidates ~~therefor~~ therefore shall submit an application to the Judicial Merit Selection Commission. Upon completion of reports and recommendations, the commission shall submit such reports and recommendations on master‑in‑equity candidates to the appropriate county legislative delegations. The county legislative delegations shall then submit the name of a candidate to the Governor for appointment within sixty days of receiving the Judicial Merit Selection Commission’s report and recommendations on the master‑in‑equity candidates. If no judicial candidate’s name is submitted to the Governor for appointment within sixty days of receipt of the report and recommendation, the Governor can then appoint or re‑appoint any candidate found qualified and nominated by the Judicial Merit Selection Commission. ~~Nothing~~ If a candidate’s name is submitted to the Governor by the local delegation, nothing shall prevent the Governor from rejecting the person nominated by the delegation. In this event, the delegation shall submit another name for consideration. If the delegation does not submit another candidate’s name for consideration within sixty days after the first name submitted is rejected by the Governor, then the Governor may select and appoint a candidate from names of candidates approved by the commission. No person found not qualified by the commission may be appointed to the office of master in equity. For purposes of this section, a vacancy is created in the office of the master in equity when any of the following occurs: a term expires, a new judicial position is created, or a judge no longer can serve due to resignation, retirement, disciplinary action, disability, or death. The Judicial Merit Selection Commission may begin screening prior to the actual date of the vacancy in the case of an expiration of term, resignation, or retirement pursuant to written notice thereof.

SECTION 2. This act takes effect upon approval of the Governor and applies to any sitting master‑in‑equity who is holding over after the expiration of his term.

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