**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4083**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Rutherford and Brannon

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Introduced in the House on April 13, 2011

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

Summary: Magistrate Court

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/13/2011 House Introduced and read first time ([House Journal‑page 20](file:///h:\hj%20archive\2011\04-13-11.docx))

4/13/2011 House Referred to Committee on **Judiciary** ([House Journal‑page 20](file:///h:\hj%20archive\2011\04-13-11.docx))

**VERSIONS OF THIS BILL**

[4/13/2011](file:///p:\pprever\2011-12\4083_20110413.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 22‑3‑915 SO AS TO PROVIDE THAT A MAGISTRATE MAY NOT COMMENCE A TRIAL OR ANOTHER PROCEEDING, OR REQUIRE AN ATTORNEY TO APPEAR OR BE PRESENT IN COURT, ON SATURDAY, SUNDAY, OR AFTER FIVE O’CLOCK ON A WEEKDAY EXCEPT IN THE CASE OF AN EMERGENCY AND TO PROVIDE CERTAIN MINIMUM LEVELS OF COMPENSATION FOR JURORS AND OVERTIME PAY FOR COURT PERSONNEL IN THE EVENT OF AN EMERGENCY.

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

SECTION 1. Article 9, Chapter 3, Title 22 of the 1976 Code is amended by adding:

“Section 22‑3‑915. (A) Notwithstanding a court rule or another provision of law, a magistrate may not commence a trial or another proceeding, or require an attorney to appear or be present in the court, on Saturday, Sunday, or after five o’clock on a weekday except in the case of an emergency.

(B) If a magistrate determines an emergency exists and court must be held:

(1) after five o’clock on a weekday, compensation for jurors must be no less than one hundred dollars per day and court personnel must be paid overtime; and

(2) on the weekend, compensation for jurors must be no less than one hundred fifty dollars per day and court personnel must be paid overtime.

(C) The provisions of subsection (A) do not apply to bond hearings.”

SECTION 2. This act takes effect upon approval by the Governor.

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