**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4523**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Rep. Ryan

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Introduced in the House on January 10, 2012

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

Summary: Suspension and prosecution of an officer accused of a crime

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/6/2011 House Prefiled

12/6/2011 House Referred to Committee on **Judiciary**

1/10/2012 House Introduced and read first time ([House Journal‑page 70](file:///h:\hj%20archive\2012\01-10-12.docx))

1/10/2012 House Referred to Committee on **Judiciary** ([House Journal‑page 70](file:///h:\hj%20archive\2012\01-10-12.docx))

**VERSIONS OF THIS BILL**

[12/6/2011](file:///p:\pprever\2011-12\4523_20111206.docx)

**A** **JOINT RESOLUTION**

PROPOSING AN AMENDMENT TO SECTION 8, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE SUSPENSION AND PROSECUTION OF AN OFFICER ACCUSED OF CRIME, SO AS TO PROVIDE THAT THE GOVERNOR MAY SUSPEND A PUBLIC OFFICIAL, OR PUBLIC MEMBER OF THE STATE OR ONE OF ITS POLITICAL SUBDIVISIONS WHO OWES UNPAID FINES TO THE STATE ETHICS COMMISSION WHICH TOTAL ONE THOUSAND DOLLARS OR MORE AND WHICH HAVE BEEN DELINQUENT FOR AT LEAST THREE HUNDRED SIXTY‑FIVE CONSECUTIVE DAYS.

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

SECTION 1. It is proposed that Section 8, Article VI of the Constitution of this State be amended by adding a new paragraph at the end to read:

“SECTION 8. Whenever it appears to the satisfaction of the Governor that probable cause exists to believe that a public official or public member of the State or one of its political subdivisions owes the State Ethics Commission unpaid fines that total one thousand dollars or more, and that have been delinquent for at least three hundred sixty‑five consecutive days, the Governor may suspend the public official or public member and appoint an interim replacement until all fines owed to the State Ethics Commission by the individual have been paid in full. In the event that the fines remain delinquent for an additional thirty days following the public official’s or public member’s suspension, the Governor may declare the office vacant and the vacancy filled as provided by law.”

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 following words:

“Must Section 8, Article VI of the South Carolina Constitution, relating to the suspension and prosecution of an officer accused of a crime, be amended so as to provide that the Governor may suspend a public official, or public member of the State or one of its political subdivisions who owes unpaid fines to the State Ethics Commission that total one thousand dollars or more and that have been delinquent for at least three hundred sixty‑five consecutive days?

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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