**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4672**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Rep. H.B. Brown

Document Path: l:\council\bills\ggs\22263zw12.docx

Introduced in the House on January 25, 2012

Introduced in the Senate on May 1, 2012

Last Amended on April 26, 2012

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

Summary: Eligibility to hold a public office

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/25/2012 House Introduced and read first time ([House Journal‑page 8](file:///h:\hj%20archive\2012\01-25-12.docx))

1/25/2012 House Referred to Committee on **Judiciary** ([House Journal‑page 8](file:///h:\hj%20archive\2012\01-25-12.docx))

3/7/2012 House Committee report: Favorable with amendment **Judiciary** ([House Journal‑page 3](file:///h:\hj%20archive\2012\03-07-12.docx))

3/20/2012 House Debate adjourned until Wed., 04‑17‑12 ([House Journal‑page 51](file:///h:\hj%20archive\2012\03-20-12.docx))

4/18/2012 House Requests for debate‑Rep(s). Rutherford, Brannon, Crawford, Chumley, Daning, Lowe, Hart, King, Howard, J.H. Neal, McEachern, Parks, Cobb‑Hunter, Jefferson, Williams, Sabb, Vick, Parker, Neilson, Bales, Brantley, Forrester, Patrick, RL Brown, Whipper, Clyburn, Gilliard, Hosey, Mack, Young ([House Journal‑page 21](file:///h:\hj%20archive\2012\04-18-12.docx))

4/24/2012 House Debate adjourned until Wed., 04‑25‑12 ([House Journal‑page 66](file:///h:\hj%20archive\2012\04-24-12.docx))

4/24/2012 House Requests for debate removed‑Rep(s). RL Brown, Hart, Gilliard, Brantley, Sabb, Bales, Williams, Hosey, Neilson, Daning, Brannon ([House Journal‑page 58](file:///h:\hj%20archive\2012\04-24-12.docx))

4/25/2012 House Requests for debate removed‑Rep(s). King, Cobb‑Hunter, Lowe, Parker, Jefferson, JH Neal, Chumley, Clyburn, Young, Forrester, Rutherford, Patrick, Vick, Mack ([House Journal‑page 36](file:///h:\hj%20archive\2012\04-25-12.docx))

4/26/2012 House Amended ([House Journal‑page 135](file:///h:\hj%20archive\2012\04-26-12.docx))

4/26/2012 House Read second time ([House Journal‑page 135](file:///h:\hj%20archive\2012\04-26-12.docx))

4/26/2012 House Roll call Yeas‑83 Nays‑4 ([House Journal‑page 136](file:///h:\hj%20archive\2012\04-26-12.docx))

4/26/2012 House Unanimous consent for third reading on next legislative day ([House Journal‑page 137](file:///h:\hj%20archive\2012\04-26-12.docx))

4/27/2012 Scrivener's error corrected

4/27/2012 House Read third time and returned to Senate with amendments ([House Journal‑page 5](file:///h:\hj%20archive\2012\04-27-12.docx))

5/1/2012 Senate Introduced and read first time ([Senate Journal‑page 9](file:///h:\sj%20archive\2012\05-01-12.docx))

5/1/2012 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 9](file:///h:\sj%20archive\2012\05-01-12.docx))

5/4/2012 Senate Referred to Subcommittee: Campsen (ch), Cleary, Scott

**VERSIONS OF THIS BILL**

[1/25/2012](file:///p:\pprever\2011-12\4672_20120125.docx)

[3/7/2012](file:///p:\pprever\2011-12\4672_20120307.docx)

[4/26/2012](file:///p:\pprever\2011-12\4672_20120426.docx)

[4/27/2012](file:///p:\pprever\2011-12\4672_20120427.docx)

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Indicates New Matter

AMENDED

April 26, 2012

**H. 4672**

Introduced by Rep. H.B. Brown

S. Printed 4/26/12--H. [SEC 4/27/12 2:09 PM]

Read the first time January 25, 2012.

**A** **JOINT RESOLUTION**

PROPOSING AN AMENDMENT TO SECTION 1, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE ELIGIBILITY TO HOLD A POPULARLY ELECTED OFFICE IN THIS STATE, SO AS TO ELIMINATE THE EXCEPTION THAT ALLOWS A PERSON TO HOLD ELECTIVE OFFICE IF A PERSON’S CONVICTION HAS BEEN PARDONED UNDER STATE OR FEDERAL LAW, OR IF IT HAS BEEN FIFTEEN OR MORE YEARS AFTER THE COMPLETION DATE OF THE PERSON’S SENTENCE, INCLUDING PROBATION AND PAROLE TIME.

Amend Title To Conform

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

SECTION 1. It is proposed that Section 1, Article VI of the Constitution of this State be amended to read:

“~~No~~A person may not be popularly elected to and serve in any office in this State or its political subdivisions unless he possesses the qualifications of an elector, is not disqualified by age as prescribed in this Constitution, and has not been convicted of a felony under state or federal law or convicted of tampering with a voting machine, fraudulent registration or voting, bribery at elections, procuring or offering to procure votes by bribery, voting more than once at elections, impersonating a voter, or swearing falsely at elections/taking oath in another’s name, or has not pled guilty or nolo contendere to these offenses. However, notwithstanding any other provision of this Constitution, this prohibition does not apply to a person who has been pardoned under state or federal law ~~or to a person who files for public office fifteen years or more after the completion date of service of the sentence, including probation and parole time, nor shall any person, serving in office prior to the ratification of this provision, be required to vacate the office to which he is elected.~~ ~~No~~A person may not be elected or appointed to office in this State for life or during good behavior, but the terms of all officers must be for some specified period except officers in the militia.”

SECTION 2. The proposed amendment in Section 1 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:

“Must Section 1, Article VI of the South Carolina Constitution, relating to the eligibility to hold a popularly elected office in this State, be amended so as to eliminate the exception that allows a person to hold elective office if a person’s conviction has been pardoned under state or federal law, or it has been fifteen or more years after the completion date of the person’s sentence, including probation and parole time?

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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