COMMITTEE REPORT

January 19, 2011

**H. 3285**

Introduced by Reps. Ballentine and Young

S. Printed 1/19/11--H.

Read the first time January 12, 2011.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Joint Resolution (H. 3285) proposing an amendment to Article III of the Constitution of South Carolina, 1895, relating to the Legislative Department, by adding Section 22A so as to require certain bills, etc., respectfully

**REPORT:**

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

Amend the joint resolution, as and if amended, by deleting Section 22A.(3)(c) and (d) in their entirety, as contained in SECTION 1, and inserting:

/ (c) either the House of Representatives or the Senate concurs or nonconcurs in the other body’s amendment; or

(d) a bill or joint resolution is amended subsequent to second reading and the pending question is the passage of a bill or joint resolution on third reading.”/

Renumber sections to conform.

Amend title to conform.

JAMES A. HARRISON for Committee.

**A** **JOINT RESOLUTION**

PROPOSING AN AMENDMENT TO ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE LEGISLATIVE DEPARTMENT, BY ADDING SECTION 22A SO AS TO REQUIRE CERTAIN BILLS AND JOINT RESOLUTIONS TO RECEIVE A RECORDED ROLL CALL VOTE AT VARIOUS STAGES OF THEIR PASSAGE BY THE HOUSE OF REPRESENTATIVES AND THE SENATE.

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

SECTION 1. It is proposed that Article III of the Constitution of this State be amended by adding:

“Section 22A. (1) For purposes of this section, a ‘recorded roll call vote’ means a vote recorded in the Journals of the respective Houses of the General Assembly, which must be by yeas and nays and recorded by name.

(2) The Annual General Appropriations Bill must be considered section by section on second reading, and must receive a recorded roll call vote by the House of Representatives and the Senate when the pending question is the adoption of an individual section.

(3) A bill or joint resolution must receive a recorded roll call vote by the House of Representatives and the Senate when:

(a) the pending question is adoption of a Conference or Free Conference Report;

(b) the pending question is the passage of a bill or joint resolution on second reading;

(c) either the House of Representatives or the Senate agrees to the other body’s amendment; or

(d) a bill or joint resolution is amended and the pending question is the passage of a bill on third reading.”

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 the following words printed or written on the ballot:

“Must Article III of the Constitution of this State be amended so as to require the respective Houses of the General Assembly to conduct recorded roll call votes for the Annual General Appropriations Bill and certain other bills and joint resolutions whenever the pending question is adoption of a Conference Report or Free Conference Report, passage of a bill or joint resolution on second reading, the House of Representatives or the Senate approval of the other body’s amendment, or a bill or joint resolution is amended and the pending question is the passage of a bill on third reading?

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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