~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

April 9, 2014

**S. 971**

Introduced by Senator Campbell

S. Printed 4/9/14--S.

Read the first time January 23, 2014.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 971) to amend Section 33‑1‑103, Code of Laws of South Carolina, 1976, relating to designation of representation by a corporation or partnership in magistrates court, etc., respectfully

**REPORT:**

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

Amend the bill, as and if amended, by striking the bill in its entirety and inserting therein the following:

/ A BILL

TO REPEAL SECTION 33‑1‑103, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DESIGNATION OF REPRESENTATION BY A CORPORATION OR PARTNERSHIP IN MAGISTRATES COURT, SO AS TO REPEAL THE SECTION DEALING WITH WHO MAY REPRESENT A CORPORATION OR BUSINESS IN MAGISTRATES COURT.

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

SECTION 1. Section 33‑1‑103 of the 1976 Code is repealed.

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

Renumber sections to conform.

Amend title to conform.

A. SHANE MASSEY for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

There is no fiscal impact to the General Fund of the State with this bill.

**LOCAL GOVERNMENT IMPACT:**

There is no fiscal impact to counties with this bill.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND SECTION 33‑1‑103, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DESIGNATION OF REPRESENTATION BY A CORPORATION OR PARTNERSHIP IN MAGISTRATES COURT, SO AS TO EXPAND THE LIST OF NONLAWYERS ASSOCIATED WITH A CORPORATION OR BUSINESS WHO MAY REPRESENT THE ENTITY IN MAGISTRATES COURT.

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

SECTION 1. Section 33‑1‑103 of the 1976 Code is amended to read:

“Section 33‑1‑103. (A) A corporation or partnership, as defined in this section, may designate ~~an~~ a nonlawyer officer, agent, employee, or principal of the corporation or partnership to represent it in ~~magistrates’~~ magistrates court. This designation must be in writing and must be submitted to the magistrate at the time the initial pleading in the case is filed by the party. Notwithstanding the provisions of Chapter 5, ~~of~~ Title 40 or any other provision of law, the person so designated, while representing the corporation or partnership in ~~magistrates’~~ magistrates court, is not engaging in the unauthorized practice of law.

(B) As used in this section, a corporation or partnership is defined as a general partnership, a limited liability partnership, a limited liability company, a limited partnership, a professional association, a professional corporation, a nonprofit corporation, a business corporation, or a statutory close corporation.”

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

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