**A** **BILL**

TO AMEND SECTION 2-19-10(A) OF THE 1976 CODE, RELATING TO THE JUDICIAL MERIT SELECTION COMMISSION, BY DELETING PROCEDURES TO REVIEW THE QUALIFICATIONS OF RETIRED JUDGES FOR CONTINUED JUDICIAL SERVICE; AND TO AMEND SECTION 2-19-100, RELATING TO THE ELIGIBILITY OF RETIRED JUDGES FOR APPOINTMENT, TO PROVIDE THAT A RETIRED JUSTICE OR JUDGE IS PROHIBITED FROM ENGAGING IN CONTINUED JUDICIAL SERVICE FOLLOWING HIS RETIREMENT.

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

SECTION 1. Section 2-19-10(A) of the 1976 Code is amended to read:

“Section 2-19-10. (A) Whenever an election is to be held by the General Assembly in Joint Session, for members of the judiciary, a Judicial Merit Selection Commission, composed of ten members, shall be appointed, in the manner prescribed by this section, to consider the qualifications of the candidates. The Judicial Merit Selection Commission shall meet at least once annually and at other times as may be designated by the chairman. The commission, at its first meeting and then annually, shall elect a chairman and a vice chairman who shall serve for a term of one year and until their successors are elected and qualified, and adopt rules necessary to the purposes of the commission. These rules shall address, among other things:

(1) the confidentiality of records and other information received concerning candidates for judicial office;

(2) the conduct of proceedings before the commission;

(3) receipt of public statements in support of or in opposition to any of the candidates;

(4) ~~procedures to review the qualifications of retired judges for continued judicial service;~~

~~(5)~~ contacting incumbent judges regarding their desire to seek re‑election; and

~~(6)~~(5) prohibition against candidates communicating with individual members of the commission concerning the qualifications of candidates unless specifically authorized by the commission.

A member may succeed himself as chairman or vice chairman. Six members of the commission constitute a quorum at all meetings.”

SECTION 2. Section 2-19-100 of the 1976 Code is amended to read:

“Section 2-19-100. ~~In order to be eligible for appointment by the Chief Justice to serve, any retired justice or judge of this State must have been reviewed by the Judicial Merit Selection Commission under procedures it shall establish to review retired judges' qualifications for continued judicial service and be found by the commission to be qualified to serve in these situations within four years of the date of his appointment to serve, except that if a justice or judge retired before the expiration of his then current term, no further review of that justice or judge is required until that term would have expired.~~ A retired justice or judge is prohibited from engaging in continued judicial service following his retirement.”

SECTION 3. This act takes effect upon approval by the Governor.

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