~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

February 5, 2020

**H. 4974**

Introduced by Reps. Lucas, Simrill, Rutherford, Pope, McCoy, G.M. Smith and Bannister

S. Printed 2/5/20--H.

Read the first time January 21, 2020.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 4974) to amend Section 14‑5‑610, Code of Laws of South Carolina, 1976, relating to the division of the state into sixteen judicial circuits and additional, 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 all after the enacting words and inserting:

/ SECTION 1. Section 14‑5‑610(B) of the 1976 Code is amended to read:

“(B) One judge must be elected from the second, sixth, and twelfth circuits. Two judges must be elected from the first, third, fourth, seventh, eighth, tenth, eleventh, ~~fourteenth, fifteenth,~~ and sixteenth circuits. Three judges must be elected from the fifth ~~and~~, ninth, fourteenth, and fifteenth circuits. Four judges must be elected from the thirteenth circuit.”

SECTION 2. Section 63‑3‑40(A) of the 1976 Code is amended to read:

“(A) The General Assembly shall elect a number of family court judges from each judicial circuit as follows:

First Circuit ~~Three~~ Four Judges

Second Circuit Two Judges

Third Circuit Three Judges

Fourth Circuit Three Judges

Fifth Circuit Four Judges

Sixth Circuit Two Judges

Seventh Circuit Three Judges

Eighth Circuit Three Judges

Ninth Circuit Six Judges

Tenth Circuit Three Judges

Eleventh Circuit Three Judges

Twelfth Circuit Three Judges

Thirteenth Circuit Six Judges

Fourteenth Circuit Three Judges

Fifteenth Circuit Three Judges

Sixteenth Circuit ~~Two~~ Three Judges”

SECTION 3. The Judicial Merit Selection Commission shall begin the process of nominating candidates for the judicial offices authorized by the provisions of SECTIONS 1 and 2, except that the additional judicial office in Section 1 added in the fourteenth judicial circuit is not effective until January 1, 2022. The General Assembly then shall elect these judges from the nominees of the commission; except that, the nominating process may not begin until funding for the additional judges is provided in the general appropriations act.

SECTION 4. This act takes effect upon approval of the Governor. /

Renumber sections to conform.

Amend title to conform.

PETER M. MCCOY, JR. for Committee.

**A** **BILL**

TO AMEND SECTION 14‑5‑610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS AND ADDITIONAL AT‑LARGE JUDGES, SO AS TO INCREASE THE NUMBER OF AT‑LARGE CIRCUIT COURT JUDGES FROM SIXTEEN TO SEVENTEEN; AND TO AMEND SECTION 63‑3‑40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT AND ADDITIONAL AT‑LARGE JUDGES, SO AS TO INCREASE THE NUMBER OF AT‑LARGE FAMILY COURT JUDGES FROM EIGHT TO TEN.

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

SECTION 1. Section 14‑5‑610(C) of the 1976 Code is amended to read:

“(C) In addition to the above judges authorized by this section, there must be ~~sixteen~~ seventeen additional circuit judges elected by the General Assembly from the State at large for terms of office of six years. These additional judges must be elected without regard to county or circuit of residence. Each office of the at‑large judges is a separate office and is assigned numerical designations of Seat No. 1 through Seat No. ~~16~~ 17, respectively.”

SECTION 2. Section 63‑3‑40(D) of the 1976 Code is amended to read:

“(D) In addition to the judges authorized by this section, there must be ~~eight~~ ten additional family court judges elected by the General Assembly from the State at large for terms of office of six years. These additional judges must be elected without regard to county or circuit of residence. Each office of the at‑large judges is a separate office and is assigned numerical designations of Seat No. 1 through Seat No. ~~8~~ 10, respectively.”

SECTION 3. The Judicial Merit Selection Commission shall begin the process of nominating candidates for the judicial offices authorized by the provisions of SECTIONS 1 and 2, and the General Assembly then shall elect these judges from the nominees of the commission; except that, the nominating process may not begin until funding for the additional judges is provided in the general appropriations act.

SECTION 4. This act takes effect upon approval by the Governor.

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