**South Carolina General Assembly**

124th Session, 2021-2022

**S. 115**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Campsen and Fanning

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Introduced in the Senate on January 12, 2021

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

Summary: Nonjudicial candidates, public hearings

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 Senate Prefiled

12/9/2020 Senate Referred to Committee on **Judiciary**

1/12/2021 Senate Introduced and read first time ([Senate Journal‑page 178](file:///h:\sj\20210112.docx))

1/12/2021 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 178](file:///h:\sj\20210112.docx))

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**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\115_20201209.docx)

**A** **BILL**

TO AMEND SECTION 2‑20‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PUBLIC HEARINGS OF NONJUDICIAL CANDIDATE QUALIFICATIONS, SO AS TO ELIMINATE THE REQUIREMENT THAT HEARINGS BE CONDUCTED NO LATER THAN TWO WEEKS PRIOR TO THE DATE SET FOR THE ELECTION, TO PROVIDE THAT CANDIDATES MAY NOT OBTAIN PLEDGES OR COMMITMENTS UNTIL THE TWELFTH DAY AFTER THE NAMES OF THE NOMINEES HAVE BEEN RELEASED, AND TO REQUIRE THAT A PERIOD OF TWENTY‑TWO DAYS ELAPSE BETWEEN THE DATE THAT THE REPORT OF NOMINATIONS IS RELEASED AND THE TIME SET FOR THE ELECTION.

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

SECTION 1. Section 2‑20‑30 of the 1976 Code is amended to read:

“Section 2‑20‑30. (A) Upon completion of the investigation, the chairman of the joint committee shall schedule a public hearing concerning the qualifications of the candidates. The hearing shall be conducted ~~no later than two weeks~~ prior to the date set in the election resolution for the election. Any person who desires to testify at the hearing, including candidates, shall furnish a written statement of his proposed testimony to the chairman of the joint committee. These statements shall be furnished no later than forty‑eight hours prior to the date and time set for the hearing. The joint committee shall determine the persons who shall testify at the hearing. All testimony, including documents furnished to the joint committee, shall be submitted under oath and persons knowingly furnishing false information either orally or in writing shall be subject to the penalties provided by law for perjury and false swearing. During the course of the investigation, the joint committee may schedule an executive session at which each candidate, and other persons whom the committee wishes to interview, may be interviewed by the joint committee on matters pertinent to the candidate’s qualification for the office to be filled. A reasonable time thereafter the committee shall render its tentative findings as to whether the candidate is qualified for the office to be filled and its reasons therefor as to each candidate. A candidate nominee may not obtain a pledge or commitment until noon on the twelfth day after the names of the nominees found qualified have been released in a report to members of the General Assembly.

(B) As soon as possible after the completion of the hearing, a verbatim copy of the testimony, documents submitted at the hearing, and findings of fact shall be transcribed and published in the journals of both houses or otherwise made available in a reasonable number of copies to the members of both houses prior to the date of the scheduled election, and a copy thereof shall be furnished to each candidate. A period of at least twenty‑two days must elapse between the date of the joint committee’s report of nominations to the General Assembly and the date that the General Assembly conducts elections for these offices.

(C) A candidate may withdraw at any stage of the proceedings, and in this event no further inquiry, report on, or consideration of his candidacy shall be made.”

SECTION 2. This act takes effect and applies to elections taking place after July 1, 2021.

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