**South Carolina General Assembly**

125th Session, 2023-2024

**S. 249**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Senators M. Johnson and Kimbrell

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Introduced in the Senate on January 10, 2023

Currently residing in the Senate

Summary: JMSC Constitution

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

11/30/2022 Senate Prefiled

11/30/2022 Senate Referred to Committee on **Judiciary**

1/10/2023 Senate Introduced and read first time ([Senate Journal‑page 127](h:\sj\20230110.docx))

1/10/2023 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 127](h:\sj\20230110.docx))

1/16/2024 Senate Referred to Subcommittee: Talley (ch), Malloy,
Campsen, Sabb, Senn

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**VERSIONS OF THIS BILL**

[11/30/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/249_20221130.docx)

A joint Resolution

PROPOSING AN AMENDMENT TO SECTION 27, ARTICLE V OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE ELECTION OF JUDGES BY THE GENERAL ASSEMBLY, SO AS TO ESTABLISh A procedure BY WHICH THE GOVERNOR APPOINTS JUDGES AND JUSTICES RATHER THAN THE GENERAL ASSEMBLY ELECTING JUDGES AND JUSTICES.

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

SECTION 1. It is proposed that Section 27, Article V of the Constitution of this State be amended to read:

Section 27. In addition to the qualifications for circuit court and court of appeals judges and Supreme Court justices contained in this article, the General Assembly by law shall establish a Judicial Merit Selection Commission to consider the qualifications and fitness of candidates for all judicial positions on these courts and on other courts of this State which are filled by election of the General Assembly. The General Assembly Governor must elect the appoint judges and justices from among the nominees of the commission to fill a vacancy on these courts.

No person may be elected appointed to these judicial positions unless he or she has been found qualified by the commission. Before a sitting member of the General Assembly may submit an application with the commission for his nomination to a judicial office, and before the commission may accept or consider such an application, the member of the General Assembly must first resign his office and have been out of office for a period established by law. Before a member of the commission may submit an application with the commission for his nomination to a judicial office, and before the commission may accept or consider such an application, the member of the commission must not have been a member of the commission for a period to be established by law.

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 Section 27, Article V of the Constitution of this State, relating to the Judicia Merit Selection Commission and the election of judges and justices by the General Assembly,be amended so as to establish a specified procedure by which the Governor appoints judges and justices from among nominees of the Judicial Merit Selection Commission?

Yes o

No o

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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