**South Carolina General Assembly**

125th Session, 2023-2024

**H. 5039**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. T.A. Morgan, A.M. Morgan, Kilmartin, White, S. Jones, Cromer, Beach, Harris, May, Trantham and J.L. Johnson

Companion/Similar bill(s): 3006

Document Path: LC-0241AHB24.docx

Introduced in the House on February 6, 2024

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

Summary: Judicial Elections, attorney-legislators

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/6/2024 House Introduced and read first time ([House Journal‑page 7](h:\hj\20240206.docx))

2/6/2024 House Referred to Committee on **Judiciary** ([House Journal‑page 7](h:\hj\20240206.docx))

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=5039&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[02/06/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5039_20240206.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2‑19‑90, RELATING TO THE JUDICIAL MERIT SELECTION COMMISSION AND ITS MEMBERSHIP AND FUNCTIONS, SO AS TO REQUIRE ATTORNEY‑LEGISLATORS TO RECUSE THEMSELVES FROM VOTING OR PARTICIPATING IN ANY MANNER IN THE ELECTION PROCESS OF JUDGES AND JUSTICES.

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

SECTION 1. Section 2‑19‑90 of the S.C. Code is amended to read:

Section 2‑19‑90. (A) The General Assembly shall meet in joint session for the election of judges. The date and time for the joint session shall be set by concurrent resolution upon the recommendation of the Judicial Merit Selection Commission. The Chairman of the Judicial Merit Selection Commission shall announce the commission's nominees for each judicial race, and no further nominating or seconding speeches shall be allowed by members of the General Assembly. In order to be elected, a candidate must receive a majority of the vote of the members of the General Assembly voting in joint session.

(B) Members of the General Assembly who are attorneys licensed to practice law in this State may not vote or participate in any manner in the election process of any judge or justice including, but not limited to, offering any judicial candidate a pledge or counting votes on behalf of any judicial candidate. Such member shall notify the respective body and recuse himself from the vote and election process on behalf of judicial candidates.

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

‑‑‑‑XX‑‑‑‑