**South Carolina General Assembly**

125th Session, 2023-2024

**S. 51**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Malloy

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Introduced in the Senate on January 10, 2023

Currently residing in the Senate

Summary: Judges, Magistrates, and Solicitors salaries

**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 37)

 1/10/2023 Senate Referred to Committee on **Judiciary** (Senate Journal‑page 37)

 7/27/2023 Scrivener's error corrected

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**VERSIONS OF THIS BILL**

[11/30/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/51_20221130.docx)

[07/27/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/51_20230727.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 14‑1‑200, RELATING TO THE ESTABLISHMENT OF SALARIES OF SUPREME COURT JUSTICES AND COURT OF APPEALS, CIRCUIT COURT, AND FAMILY COURT JUDGES, SO AS TO PROVIDE THE SALARY OF THE CHIEF JUSTICE AND TO PROVIDE FOR A TWO PERCENT ANNUAL INCREASE IN A FISCAL YEAR IN WHICH COMPENSATION IS INCREASED FOR ALL FULL‑TIME STATE‑APPROPRIATED EMPLOYEES; BY AMENDING SECTION 1‑7‑325, RELATING TO COMPENSATION FOR SOLICITORS, SO AS TO PROVIDE THAT A SOLICITOR’S SALARY IS NOT DIRECTLY TIED TO A PERCENTAGE OF THE SALARIES OF SUPREME COURT JUSTICES OR COURT OF APPEALS, CIRCUIT COURT, OR FAMILY COURT JUDGES; AND BY AMENDING SECTION 22‑8‑40(B)(2), RELATING TO MAGISTRATES’ SALARIES, SO AS TO PROVIDE THAT MAGISTRATES’ SALARIES ARE DETERMINED BY THE ANNUAL GENERAL APPROPRIATIONS ACT AND ARE NOT DIRECTLY TIED TO A PERCENTAGE OF THE SALARIES OF SUPREME COURT JUSTICES OR COURT OF APPEALS, CIRCUIT COURT, OR FAMILY COURT JUDGES.

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

SECTION 1.A. Section 14‑1‑200 of the S.C. Code is amended to read:

 Section 14‑1‑200. The General Assembly shall establish the salary of the Chief Justice and Associate Justices of the Supreme Court in the annual general appropriation act with the salary of the Chief Justice to be one hundred five percent of the salary fixed for Associate Justices of the Supreme Court and shall fix the salaries for the court of appeals, circuit court, and family court according to the following schedule:

 (1) The Chief Justice of the Supreme Court shall receive a salary in an amount of one hundred seventy thousand dollars, plus the allocation computed on this salary by the Executive Budget Office, for any increase in compensation granted to all full‑time state‑appropriated employees. The annual salary of the Chief Justice must be increased by two percent each year on July first of a fiscal year in which compensation is increased for all full‑time state‑appropriated employees.

 (2) The chief judge of the court of appeals shall receive a salary in an amount equal to ninety‑nine percent of the salary fixed for Associate Justices of the Supreme Court;

 (2)(3) Judges of the court of appeals shall receive a salary in an amount equal to ninety‑seven and one‑half percent of the salary fixed for Associate Justices of the Supreme Court, and circuit court judges shall receive a salary in an amount equal to ninety‑five percent of the salary fixed for Associate Justices of the Supreme Court;

 (3)(4) Judges of the family court shall receive a salary in an amount equal to ninety‑two and one‑half percent of the salary fixed for Associate Justices of the Supreme Court.

B. The annual salary of the Chief Justice must be increased under certain circumstances pursuant to Section 14‑1‑200(1), as amended by this act, beginning on July 1, 2021.

SECTION 2. Section 1‑7‑325 of the S.C. Code is amended to read:

 Section 1‑7‑325. (A) The solicitors of this state State shall be full‑time employees of the State of South Carolina, provided, however, that any solicitor serving in office on July 1, 1976, whose term of office expires in the year 1979 shall not be required to be full time as provided by this section until the expiration of his term in 1979. Each solicitor shall receive an annual salary in the annual general appropriations act and a monthly expense allowance as is provided by the General Assembly, provided, however, that this salary is not directly tied to a percentage of the salaries in Section 14‑1‑200.

 (B) When a solicitor is required to serve out of his circuit, he shall also receive such subsistence and mileage as is authorized by law for circuit judges while holding court without the county in which they reside. Each solicitor shall have one full‑time secretary who shall receive such annual salary as may be provided by the General Assembly.

SECTION 3. Section 22‑8‑40(B)(2) of the S.C. Code is amended to read:

 (2) There is established a base salary for each population category as follows:

 (a) for those counties with a population of one hundred fifty thousand and above, according to the latest official United States Decennial Census, the base salary is fifty‑five percent of a circuit judge's salary for the state's previous fiscal year;

 (b) for those counties with a population of at least fifty thousand but not more than one hundred forty‑nine thousand, nine hundred ninety‑nine, according to the latest official United States Decennial Census, the base salary is forty‑five percent of a circuit judge's salary for the state's previous fiscal year;

 (c) for those counties with a population of less than fifty thousand, according to the latest official United States Decennial Census, the base salary is thirty‑five percent of a circuit court judge's salary for the state's previous fiscal year The base salary for each population category shall be determined by the General Assembly in the annual general appropriations act, provided, however, that this salary is not directly tied to a percentage of the salaries in Section 14-1-200.

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

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