**South Carolina General Assembly**

125th Session, 2023-2024

**S. 871**

**STATUS INFORMATION**

General Bill

Sponsors: Senator McLeod

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Introduced in the Senate on January 9, 2024

Currently residing in the Senate

Summary: Judicial Merit Selection Commission, factors for candidates, recusal of attorneys

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

11/30/2023 Senate Prefiled

11/30/2023 Senate Referred to Committee on **Judiciary**

1/9/2024 Senate Introduced and read first time ([Senate Journal‑page 66](h:\sj\20240109.docx))

1/9/2024 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 66](h:\sj\20240109.docx))

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

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**VERSIONS OF THIS BILL**

[11/30/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/871_20231130.docx)

A bill

TO AMEND the south carolina code of laws by amending SECTION 2‑19‑10, RELATING TO THE MEMBERSHIP OF THE JUDICIAL MERIT SELECTION COMMISSION, APPOINTMENT, AND QUALIFICATIONS, SO AS TO PROVIDE THAT CERTAIN FACTORS MUST, RATHER THAN SHOULD, BE CONSIDERED; AND by AMENDing SECTION 2‑19‑90, RELATING TO the ELECTION OF JUDGES IN JOINT SESSION OF THE GENERAL ASSEMBLY, SO AS TO REQUIRE MEMBERS OF THE GENERAL ASSEMBLY WHO ARE LICENSED ATTORNEYS PRACTICING LAW IN THE COURTS OF THIS STATE TO RECUSE THEMSELVES FROM VOTING IN ALL JUDICIAL ELECTIONS.

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

SECTION 1. Section 2‑19‑10(C) of the S.C. Code is amended to read:

(C) In making appointments to the commission, race, gender, national origin, and other demographic factors should must be considered to ensure nondiscrimination to the greatest extent possible as to all segments of the population of the State.

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

Section 2‑19‑90. 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. A member of the General Assembly who is a licensed attorney who practices law in the courts of this State shall recuse himself from voting in all judicial elections.

SECTION 3. This act takes effect upon approval by the Governor.

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