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9 **A JOINT RESOLUTION**

10
11 TO PROVIDE FOR A CONSTITUTIONAL STUDY
12 COMMISSION TO PRODUCE REFERENCE MATERIAL FOR
13 DELEGATES TO A CONSTITUTIONAL CONVENTION, AND
14 TO PROVIDE FOR A CONSTITUTIONAL CONVENTION
15 AND THE ELECTION, DUTIES, AND RESPONSIBILITIES OF
16 THE DELEGATES TO THE CONVENTION.

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

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21 SECTION 1. (A) A majority of the qualified electors of this State
22 having voted in the affirmative to call for a constitutional
23 convention to revise and modernize the 1895 South Carolina
24 Constitution and pursuant to Section 3, Article XVI of the 1895
25 South Carolina Constitution, relating to calling a constitutional
26 convention, the General Assembly does hereby provide for calling
27 the convention.

28 (B) There is established the South Carolina Constitutional
29 Study Commission. The study commission shall be comprised of
30 the Chief Justice of the Supreme Court, who shall serve as chair,
31 the Governor, the President Pro-Tempore of the Senate, the
32 Speaker of the House of Representatives, the Minority Leader of
33 the Senate, the Minority Leader of the House of Representatives,
34 the Attorney General, the Dean of the University of South Carolina
35 School of Law, and the Dean of the Charleston School of Law.

36 (C) The study commission must prepare a comprehensive
37 written analysis of current economic, social, and other conditions
38 and likely future economic, social, and other developments within
39 the State. The analysis should include a comparison of how the
40 current constitutional framework applies to those conditions and
41 future developments, how other state constitutions address those
42 conditions and future developments, how they impact or are likely

1 to impact the fundamental rights of individuals and the manner in
2 which the government may be structured to best meet the
3 challenges and opportunities presented by those conditions and
4 future developments, and make recommendations for the new
5 constitution. The commission must also propose rules of
6 procedure to govern the activities of the convention. The complete
7 analysis must be submitted to all delegates and otherwise made
8 publicly available no later than sixty days prior to the
9 constitutional convention convened pursuant to Section 3.

10 (D) The study commission must meet as soon as practicable
11 after the effective date of this Joint Resolution to organize and
12 begin the issue analysis required by subsection (C).

13 (E) Commissioners are entitled to such mileage, subsistence,
14 and per diem as authorized by law for members of boards,
15 committees, and commissions while in the performance of the
16 duties for which appointed. These expenses shall be paid from the
17 general fund of the State on warrants duly signed by the chairman
18 of the commission and payable by the State Treasurer from the
19 funds appropriated to the judiciary specifically for this purpose.

20 (F) The study commission may use clerical and professional
21 employees of the General Assembly, the Attorney General, or any
22 other state agency who must be made available to the study
23 commission. The study commission may also employ or retain
24 other professional staff, upon the study commission's
25 determination of the necessity for other staff. The costs and
26 expenses of the study commission must be funded in the judiciary
27 appropriation of the annual general appropriations act.

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29 SECTION 2.(A) A convention to reexamine and revise the
30 South Carolina Constitution of 1895 must convene no later than
31 July 1, 2016, in the chambers of the House of Representatives in
32 Columbia. The convention shall continue in session at times and
33 places determined by the convention's presiding officer until, by
34 careful revision and amendment of the 1895 Constitution, it shall
35 frame and adopt a revised constitution for this State, provided that
36 the convention must adjourn no later than December 31, 2018,
37 unless a longer term is approved by the General Assembly.

38 (1) The convention delegates shall judge the returns and
39 qualifications of its members, and a majority of delegates shall
40 constitute a quorum to do business; but a smaller number may
41 adjourn from day to day, and may compel the attendance of absent
42 members, in such manner and under such penalties as may be
43 provided in the convention's rules of procedure.

1 (2) The convention shall choose its own officers, determine its
2 rules of procedure, punish its members for disorderly behavior,
3 and, with the concurrence of two thirds, expel a delegate, but not a
4 second time for the same cause. The Chief Justice of the Supreme
5 Court shall preside until officers are elected. Jefferson's Manual
6 of Parliamentary Practice shall govern the convention's activities
7 prior to rules of procedure being adopted.

8 (B) There will be one hundred twenty-four delegates to the
9 convention. One delegate must be elected by popular vote of the
10 qualified electors residing in each district of the House of
11 Representatives in a non-partisan election during a special election
12 held on the first Tuesday following the first Monday in November
13 2015. Delegates must possess the same qualifications as members
14 of the state House of Representatives. In the event of a vacancy,
15 the presiding officer of the convention shall issue a writ of election
16 to fill the vacancy pursuant to Section 7-13-190 of the 1976 Code.
17 Delegates and candidates for delegate are subject to Chapter 13,
18 Title 8 of the 1976 Code, the State Ethics Act. The provisions of
19 Chapter 17, Title 2 of the 1976 Code are applicable to the
20 convention.

21 (C) The final draft constitution adopted by the convention must
22 be transmitted to the Chief Justice of the Supreme Court and the
23 State Election Commission. The chief justice shall make the draft
24 available to the general public. The State Election Commission
25 shall place upon the ballot of the next general election the question
26 of whether to adopt the draft constitution adopted by the
27 convention. To adopt the constitution, a majority of qualified
28 electors must vote in favor of adoption. Copies of the draft
29 constitution must be made available at polling places in the manner
30 required in Section 7-13-180 of the 1976 Code.

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32 SECTION 3. This joint resolution takes effect upon approval by
33 the Governor.

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