



Fact Sheet

South Carolina Policy Council

1323 Pendleton St., Columbia, SC 29201 • 803-779-5022 • scpolicycouncil.com

Legislative Analysis: Roll Call Voting Bills

As the 119th session of the General Assembly begins, roll call voting remains a hot button issue. Between the House and Senate there are 11 different bills that would require the General Assembly to take more votes on the record.

[This table](#) provides detailed analysis of each bill, highlighting what each bill does and doesn't include. Of the 11 bills currently before the General Assembly, we've identified five of the most pertinent.

Senate

[S 7 – Statutory Reform](#): This bill would amend state law to require bills and joint resolutions with the force of law to receive a recorded vote in the House and Senate. The bill requires a recorded vote under the following circumstances: second reading of every bill/joint resolution with the force of law; third reading of amended bills/joint resolutions; each section of the budget prior to second reading; conference reports; and concurrence with amended measures passed by the opposite chamber. A notable omission is not requiring a recorded vote on the third reading of all bills/joint resolutions.

[S 8 – Constitutional Amendment](#): This joint resolution seeks to amend [Article III](#), section 18 of the state constitution so as to provide that no bill or joint resolution shall have the force of law unless the names of the persons voting for and against it are entered in the House and Senate journals. In itself, the amendment does not specify the stages at which bills/joint resolutions are to receive a recorded vote. This Senate amendment is much vaguer than the corresponding amendment ([H 3285](#)) introduced in the House. The House amendment, for instance, requires a recorded vote in the following cases: second reading of every bill/joint resolution with the force of law; third reading of amended bills/joint resolutions; each section of the budget on second reading; conference reports; and concurrence with amended measures passed by the opposite chamber. As opposed to a statutory reform, any constitutional amendment would also not become effective until 2013, at the earliest. As provided by the [state constitution](#), the measure would first have to be passed by two-thirds of legislators in each chamber, ratified by voters at the 2012 general election, and then passed again by two-thirds of legislators in each chamber.

[S 9 – Rules Change](#): This Senate resolution was passed unanimously on January 18, 2011. The House had adopted a similar rules change (cf. H 3001) as of November 17, 2010. Each body adopts its own rules prior to the beginning of each session, meaning that these rules are only in effect until the end of the 2012 session. The rules change requires that a recorded vote be taken upon: second reading of every bill/joint resolution having the force of law; third reading of “substantively amended” bills/joint resolutions; conference reports; and concurrence with substantially amended measures passed by the House. The rules also require a recorded vote on

each section of Part IA of the budget. As an aside, the measure does not specify what constitutes a “substantively amended” bill.

House

H 3004 – Statutory Reform: This measure unanimously passed the House on January 14, 2011. It is now before the Senate Judiciary Committee. The bill would require roll call voting under the following circumstances: second reading of every bill/joint resolution; third reading of amended bills/joint resolutions; each section of the budget upon second reading; conference reports; and concurrence with amended measures passed by the opposite chamber. The bill does not require a recorded vote on the third reading of all bills/joint resolutions.

H 3001 – Rules Change: This House resolution was adopted on November 17, 2010, during the chamber’s two-day organizational meeting. Like the Senate rules change, the measure must be reauthorized by the House prior to the beginning of the 120th session. The rules change does not have the force of law (which explains why the House also passed H 3004). The updated rules require a recorded vote under the following circumstances: second reading of bills/joint resolutions on the contested calendar and in other circumstances (cf. § 7.2); amended measures on third reading (as specified by § 7.2); amended Senate bills/joint resolutions; each section of the budget, upon second reading; conference reports; veto overrides; and various other circumstances (cf. § 7.2). It is difficult to say which chamber’s rules change will result in more actual recorded votes. (The House has a marginally better record of recording votes (26.6 percent for 2010) than does the Senate (22.4 percent)). The Senate rules change, however, is more comprehensive insofar as it requires a roll call vote on the second reading of all bills and joint resolutions, without qualification.

The Policy Council will continue to track roll call voting legislation throughout the session and provide real-time updates on our new site, sccapitolvotes.org.

*Nothing in the foregoing should be construed as an attempt to aid or hinder passage of any legislation.
Copyright © 2011 South Carolina Policy Council*



South Carolina Policy Council

1323 Pendleton St., Columbia, SC 29201 • 803-779-5022 • scpolicycouncil.com