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Indicates New Matter

AMENDED

February 26, 2009

**H. 3565**

Introduced by Reps. Clemmons, Horne and A.D. Young

S. Printed 2/26/09--H.

Read the first time February 18, 2009.

**A** **BILL**

TO AMEND SECTION 4‑9‑100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COUNTY COUNCIL MEMBERS HOLDING OTHER OFFICES AND THE SALARY AND COMPENSATION OF COUNCIL MEMBERS, SO AS TO PROVIDE THAT AN ORDINANCE REDUCING THE SALARY OF A COUNCIL MEMBER IS EFFECTIVE ON THIRD READING OF THE ORDINANCE, UNLESS PROVIDED OTHERWISE.

Amend Title To Conform

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

SECTION 1. Section 4‑9‑100 of the 1976 Code is amended to read:

“Section 4‑9‑100. (A) ~~No~~ A member of council, including supervisors, shall not hold ~~any other~~ another office of honor or profit in government, except military commissions and commissions as notaries public, during his elected term.

(B)(1) After adoption of a form of government as provided for in this chapter, council, ~~shall~~ by ordinance, shall prescribe the salary and compensation for its members.

(2) After the initial determination of salary, council, ~~may~~ by ordinance, may adjust the salary but the ordinance ~~changing~~ increasing the salary is not effective until the date of commencement of terms of at least two members of council elected at the next general election following the enactment of the ordinance affecting the salary changes at which time it will become effective for all members.

(3) A chairman of a county council who is assigned additional administrative duties may receive additional compensation as the council may provide. The additional compensation becomes effective with the passage of the ordinance increasing the compensation of the chairman.

(4) An ordinance reducing the salary of council is effective on the date the ordinance receives third reading, unless provided otherwise.

(5) Members ~~may~~ also may be reimbursed for actual expenses incurred in the conduct of their official duties.

(6) The restriction on salary changes does not apply to supervisors under the council‑supervisor form of government whose salaries may be increased during their terms of office but supervisors shall not vote on the question when it is considered by council.”

SECTION 2. Section 5‑7‑170 of the 1976 Code is amended to read:

“Section 5‑7‑170. (A) The council may determine the annual salary of its members by ordinance; provided, that an ordinance establishing or increasing ~~such~~ the salaries ~~shall~~ must not become effective until the commencement date of the terms of two or more members elected at the next general election following the adoption of the ordinance~~,~~. At ~~which~~ that time it ~~will become~~ becomes effective for all members whether or not they were elected in ~~such~~ that election.

(B) An ordinance reducing the salary of council is effective on the date the ordinance receives third reading, unless provided otherwise.

(C) The mayor and council members ~~may~~ also may receive payment for actual expenses incurred in the performance of their official duties within limitations prescribed by ordinance.”

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

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