**A** **BILL**

TO AMEND SECTIONS 59‑125‑20 AND 59‑125‑30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO THE BOARD OF TRUSTEES OF WINTHROP UNIVERSITY, SO AS TO REMOVE THE MEMBER OF THE BOARD APPOINTED BY THE GOVERNOR AND PROVIDE AN ADDITIONAL MEMBER TO BE ELECTED BY THE GENERAL ASSEMBLY.

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

SECTION 1. Section 59‑125‑20 of the 1976 Code, as last amended by Act 50 of 2007, is further amended to read:

“Section 59‑125‑20. ~~A.~~ The Board of Trustees of Winthrop University is composed of the Governor and the State Superintendent of Education or their designees who are members ex officio of the board, ~~nine~~ ten other members each to be elected by the joint vote of the General Assembly, as ~~hereinafter~~ provided in this article, and two graduates of Winthrop University to be appointed by the Winthrop University Alumni Association or its successors, as ~~hereinafter~~ provided in this article.

~~B.~~ ~~In addition to the members of the board in subsection A, there shall be one additional member of the board appointed by the Governor. The Governor shall make the appointment based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the board is representative of all citizens of the State of South Carolina.~~”

SECTION 2. Section 59‑125‑30 of the 1976 Code, as last amended by Act 50 of 2007, is further amended to read:

“Section 59‑125‑30. (A) Of the ~~seven~~ ten members to be elected by the General Assembly, one member must be elected from each of the six congressional districts and ~~three~~ four members must be elected by the General Assembly from the state at large. Each representative of a congressional district must be a resident of the congressional district represented. The regular term of office of the elective members of the board of trustees is six years. In electing members of the board, the General Assembly shall elect members based on merit regardless of race, color, creed, or gender and shall strive to ~~assure~~ ensure that the membership of the board is representative of all citizens of the State of South Carolina. The elective members of the board of trustees shall continue to serve until the thirtieth day of June of the year in which their terms are scheduled to expire.

(B) ~~Those~~ The persons elected by the General Assembly shall have their seats designated as the seat number corresponding to the congressional district from which they are elected with the at‑large members designated as Seat Seven, Seat Eight, ~~and~~ Seat Nine ~~with the present at‑large member of the board deemed to be serving in Seat Seven~~, and Seat Thirteen.

(C) The General Assembly shall hold elections to fill vacancies as they occur on the board by the expiration of terms of office, as follows: Seat One in 2006, Seat Two in 2008, Seat Three in 2004, Seat Four in 2004, Seat Five in 2006, Seat Six in 2008, Seat Seven in 2005, Seat Eight in 2008, and Seat Nine in 2009. In 2008, the person elected by the General Assembly to fill Seat Eight shall serve a six‑year term and in 2009, the person elected by the General Assembly to fill Seat Nine shall serve a six‑year term. At the completion of those terms of office, all subsequent members of the board elected by the General Assembly to fill Seats Eight ~~and~~, Nine, and Thirteen shall be elected for six‑year terms.

(D) Elections to fill vacancies which are caused by the death, resignation, or removal of an elective trustee may be held earlier than the first day of April of the year in which the unexpired term terminates, but the term of the person elected to fill the vacancy expires on the last day of June of the year in which the term of the former member would have expired. When there is a vacancy otherwise occurring on the board of trustees among the elected members, the Governor may fill it by appointment until the next session of the General Assembly.

(E) The State Superintendent of Education or the superintendent’s designee shall serve in Seat Ten, ex officio. ~~Seat Thirteen shall be a member appointed by the Governor.~~ The Governor or the Governor’s designee shall serve in Seat Fourteen, ex officio. The members of the board elected by the Winthrop University Alumni Association or its successors ~~shall~~ must be elected for four‑year terms to fill Seats Eleven and Twelve in 2002. In 2006, the person elected by the Winthrop University Alumni Association or its successors to fill Seat Eleven shall serve a six‑year term and the person elected by the Winthrop University Alumni Association or its successors to fill Seat Twelve shall serve a four‑year term. At the completion of those terms of office, all subsequent members of the board elected by the Winthrop University Alumni Association or its successors to fill Seats Eleven and Twelve ~~shall~~ must be elected for six‑year terms. The names of ~~those so~~ the elected members must be certified to the Secretary of State by the president and secretary of the association and they shall take office immediately after the certification. ~~The term of the at‑large trustee appointed by the Governor to Seat Thirteen is effective upon certification to the Secretary of State and is coterminous with the term of office of the Governor. Any vacancy in the office of the member appointed by the Governor must be filled by appointment of the Governor for the unexpired term in the same manner of original appointment.~~”

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

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