~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

March 18, 2015

**H. 3656**

Introduced by Reps. Yow, Henegan and Lucas

L. Printed 3/18/15--H.

Read the first time February 12, 2015.

**THE CHESTERFIELD DELEGATION**

To whom was referred a Bill (H. 3656) to amend Act 205 of 1993, as amended, relating to the District Board of Education of the Chesterfield County School District, so as to revise the date for elections for, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

RICHARD L. YOW for Committee.

**A** **BILL**

TO AMEND ACT 205 OF 1993, AS AMENDED, RELATING TO THE DISTRICT BOARD OF EDUCATION OF THE CHESTERFIELD COUNTY SCHOOL DISTRICT, SO AS TO REVISE THE DATE FOR ELECTIONS FOR TRUSTEES, THE FILING PERIOD FOR DECLARATIONS OF CANDIDACY, AND THE TIME IN WHICH BOARD MEMBERS TAKE OFFICE.

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

SECTION 1. Section 1 of Act 205 of 1993, as last amended by Act 134 of 2007, is further amended to read:

“Section 1. (A) Notwithstanding any other provision of law, the District Board of Education of the Chesterfield County School District consists of nine members who must be elected in nonpartisan elections to be held at the same time as the ~~primary~~ general election in even‑numbered years in the manner hereinafter provided ~~with runoff elections, if required, to be held two weeks later at the same time as other primary runoff elections~~. One member of the board must be a resident of and elected from each of the nine defined single‑member election districts established in Section 2 of this act. Members of the board must be elected as follows:

(~~a~~1) In 1993, a member of the board from District 1 must be elected for a one‑year term and members of the board from Districts 2 and 9 must be elected for five‑year terms.

(~~b~~2) In 1994, members of the board from Districts 1 and 3 must be elected for four‑year terms.

(~~c~~3) In 1996, members of the board from Districts 4, 5, 6, 7, and 8 must be elected for four‑year terms.

(~~d~~4) In 1998, members of the board from Districts 1, 2, 3, and 9 must be elected for four‑year terms.

(~~e~~5) After 1998, members of the board must be elected in nonpartisan elections held every two or four years thereafter as appropriate for four‑year terms. All members shall serve until their successors are elected and qualify.

(~~f~~6) The present members of the district board of education shall continue to serve until successors from the election districts in which the present members reside are elected in the manner provided by this act at which time the terms of office of these present members shall expire.

(B) In the event of a vacancy on the board occurring for any reason other than expiration of a term, the board shall call a special election to fill the unexpired term, so long as the vacancy does not occur within ten months of a regular trustee election. In this case, the vacancy must be filled for the unexpired term or for a full term, as appropriate, at the next regular election.

Each member of the board must be elected by the qualified electors of the respective district from which the candidate seeks election. All persons desiring to qualify as a candidate shall file written notice of candidacy with the county election commission, or with the clerk of court on forms furnished by the commission which forms must be transmitted to the commission by the clerk of court. This notice of candidacy must be a sworn statement and must include the candidate’s name, age, residence address, voting precinct, period of residence in the election district from which election is sought, and other information as the county election commission requires. The filing ~~period shall be the same filing period as for other countywide or less than countywide officers to be filled at that primary election~~ opens on the first Tuesday in September at noon to run for two weeks.

(C) The county commissioners of election shall conduct and supervise the elections for members of the board in the manner governed by the election laws of this State, mutatis mutandis. The commissioners shall prepare the necessary ballots, appoint managers for the voting precincts, and do all things necessary to carry out the elections, including the counting of ballots and declaring the results. The commission shall publish notices of the time, polling places, and purpose of the election in a newspaper of general circulation within the district once a week for at least two successive weeks before the election. The results of the elections must be determined by the nonpartisan election and runoff method as contained in Section 5‑15‑62 of the 1976 Code.

(D) The members of the board elected in these nonpartisan elections shall take office ~~one week following certification of their election as provided in Section 59‑19‑315 of the 1976 Code~~ January first following the November election.”

SECTION 2. This act takes effect upon approval by the Governor.

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