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Indicates New Matter

AMENDED

May 21, 2015

**H. 4143**

Introduced by Reps. Hamilton, Nanney, Burns, Bannister, Henderson, Herbkersman, Loftis, G.R. Smith, Stringer and Willis

L. Printed 5/21/15--S. [SEC 5/22/15 1:06 PM]

Read the first time May 12, 2015.

**A** **BILL**

TO AMEND ACT 432 OF 1947, AS AMENDED, RELATING TO THE GREENVILLE HEALTH SYSTEM AND ITS BOARD OF TRUSTEES, SO AS TO REVISE THE HOUSE OF REPRESENTATIVES DISTRICTS CONSTITUTING THE DISTRICTS WHICH COMPRISE HOUSE DISTRICT RESIDENCY SEATS ON THE BOARD FROM WHICH SIX MEMBERS OF THE BOARD MUST BE APPOINTED.

Amend Title To Conform

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

SECTION 1. Section 1 of Act 432 of 1947, as redesignated and then amended by Act 105 of 2013, is further amended to read:

“Section 1. (A) For the purpose of operating and at all times maintaining adequate hospital facilities for the residents of Greenville County, including those residents in the City of Greenville and as otherwise provided by law, including, but not limited to, Section 44‑7‑78, Code of Laws of South Carolina, 1976, there is established the Greenville Health System (formerly known as the Greenville Hospital System) which must be governed by a board of trustees selected pursuant to this section.

(B)(1)(a) The board of trustees shall consist of not fewer than twelve or more than seventeen members. A membership above twelve must be first requested by the board of trustees and then approved by the Greenville County Legislative Delegation. Members must be appointed by the Greenville County Legislative Delegation pursuant to this section, unless otherwise stipulated. The members of the House of Representatives from each of the House single member election districts in a particular house residency district, together with any member of the Senate representing any portion of these House single member election districts in that particular house residency district, shall recommend a nominee for that seat to the full Greenville County Legislative Delegation which shall either select and appoint that nominee to the commission or reject the nominee. In this case another nominee must be recommended by the same process to the full county legislative delegation until the seat is filled. All members must be qualified electors. Members filling house district residency seats, as provided for in this subsection, must, at the time of their appointment and throughout their term of office, be residents of Greenville County residing in specified house districts that constitute a part of the specific house district residency seat. Six of the members must be considered as filling house district residency seats, with one seat being filled by a person residing in House District ~~17,~~ 18, 20, or 36; one residing in House District 10, 17, or 19; one residing in House District ~~20~~ 16, 21, or 35; one residing in House District 22 or 24; one residing in House District 23 or 25; and one residing in House District ~~16,~~ 27~~,~~ or 28. The remaining members must be at large, at least four of whom must reside in Greenville County. Two of the members must reside in the City of Greenville, but no more than three of the members may reside in the city limits of a single municipality. Appointment of members who are residents of the City of Greenville must be submitted for review by the City of Greenville as provided in ~~subsection (B)~~ item (3). Members shall represent all communities served by the Greenville Health System regardless of residency and shall make decisions in the best interest of the Greenville Health System as a whole and all those it serves.

(b) Current members of the board then filling house district residency seats as these districts formerly existed before the effective date of this subitem are deemed to be the members of the board from the revised house district residency seats now existing after the effective date of this subitem in which they reside with no change in their current terms of office.

(2)(a) Except as provided for in subitem (c) and subsection (D), members shall serve terms of three years, which expire on October first of the appropriate year, and until their successors are appointed and qualify; however, under no circumstance may a member continue to serve longer than six months after the expiration of his term. If the Greenville County Legislative Delegation has not filled a seat within six months of the expiration of the term, the member serving in that seat shall cease serving and the seat is vacant until filled in accordance with this section. Members may not serve more than two terms, except that a member who fills a term of one year or less may be reappointed to serve two terms.

(b) Vacancies must be filled in the manner of the original appointment for the unexpired portion of the term. Appointments must be filed in the office of the Clerk of Court for Greenville County, who shall certify their appointment to the Governor, who shall commission the member for the term provided.

(c) Members appointed to fill a new seat on the board, if any, must be appointed for a term beginning October first, with the length of the initial term being of a duration that results in approximately one‑third of the members of the board being appointed annually.

(3) The board of trustees shall publicize vacancies, and recommendations may be made to the board from any individual, organization, or group. The board shall submit a nominee for each vacancy to the Greenville County Legislative Delegation. The board shall provide the legislative delegation with biographical information on nominees and must be available to discuss the recommendations and shall make each nominee available, if requested by the legislative delegation, to meet with the delegation. The legislative delegation with a quorum present and by majority‑weighted vote shall vote to appoint a nominee for each vacancy. However, if after the board has submitted its initial nominee, the delegation requests an additional nominee, the board has one hundred twenty days to submit the additional nominee. If the board does not submit an additional nominee within one hundred twenty days of the request, the legislative delegation has sixty days to appoint a qualified member to fill the vacancy without considering nominations from the board. If the board does submit an additional nominee within the one hundred twenty days and the delegation by vote does not appoint the nominee, the delegation has sixty days to appoint a qualified member to fill the vacancy without considering the nominations from the board. An individual selected by the delegation who is a resident of the City of Greenville must be submitted by the legislative delegation to the City Council of the City of Greenville for concurrence, and the city council shall act timely on the request for concurrence. If the city council does not concur in the appointment, the board shall submit an additional nominee to the legislative delegation to fill the seat and the legislative delegation shall vote to appoint the nominee or request an additional nominee, and upon approval of the nominee shall submit that nominee to the City of Greenville for concurrence. The board is committed to maintaining a diverse board, believing that diversity is a source of strength and that the skills needed in building healthy communities can best be developed through exposure to widely diverse people, culture, ideas, and leadership. All recommendations, nominations, and appointments to the board shall take into account race, gender, expertise, and other qualifications as may be pertinent to service on the board so that members are mindful, to the greatest extent possible, of the needs of all segments of the population of Greenville County and those served by the Greenville Health System.

(C)(1) The board shall elect from among its members a chairman, vice chairman, and secretary.

(2) Members shall serve on the board of trustees without compensation.

(D) Members shall continue to serve until their terms expire and until their successors are appointed and qualify.”

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

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