**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6‑1‑180 SO AS TO PROVIDE THAT THOSE POLITICAL SUBDIVISIONS OF THE STATE THAT ARE NOT OTHERWISE REQUIRED BY LAW TO UNDERGO PERIODIC REAPPORTIONMENT AND WHOSE GOVERNING BOARD, COMMISSION, OR COUNCIL IS POPULARLY ELECTED FROM SINGLE‑MEMBER ELECTION DISTRICTS, RESIDENCY REQUIREMENTS, OR A COMBINATION OF AT‑LARGE AND SINGLE‑MEMBER DISTRICTS, MUST BE REAPPORTIONED TO A POPULATION VARIANCE OF LESS THAN TEN PERCENT WITHIN THREE YEARS OF THE DATE ON WHICH THE LATEST OFFICIAL UNITED STATES DECENNIAL CENSUS IS ADOPTED BY THE GENERAL ASSEMBLY, TO PROVIDE PROCEDURES FOR CONTINUITY OF REPRESENTATION WHEN REAPPORTIONMENT LOCATES TWO OR MORE ELECTED MEMBERS IN THE SAME ELECTION DISTRICT, AND TO CLARIFY CERTAIN DUTIES AND RESPONSIBILITIES OF THE SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE REGARDING REAPPORTIONMENT.

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

SECTION 1. Article 1, Chapter 1, Title 6 of the 1976 Code is amended by adding:

“Section 6‑1‑180. (A) Beginning with the adoption of the 2020 official United States decennial census, each political subdivision of the State that is not otherwise required by law to undergo periodic reapportionment and whose governing board, commission, or council is popularly elected from single‑member election districts, residency requirements, or a combination of at‑large and single‑member districts, must be reapportioned to a population variance of less than ten percent within three years of the date on which the latest federal decennial census is adopted by the General Assembly.

(B) A popularly elected board, commission, or council member who is serving in a district that has been reapportioned must be allowed to continue to serve the balance of his unexpired term representing the people in the new reapportioned district if he is an elector in the reapportioned district.

(C) In the event that two or more popularly elected members of a political subdivision’s governing board, commission, or council, elected by single‑member districts or residency requirements, because of reapportionment, become electors in the same district:

(1) if there are two or more years remaining on two or more of the affected members’ terms after the reapportionment becomes effective, their terms expire by the next general election and an election must be held to fill the remaining term for the seat with two or more members and for the seat for the district with the vacancy, if applicable; or

(2) if there are two or more years remaining on only one affected member’s term, that member may continue to serve the balance of his unexpired term representing the people in the newly reapportioned district.

(D) If a seat becomes vacant after election districts have been reapportioned, but prior to the expiration of the incumbent’s term of office due to death, resignation, removal, or another cause, the resulting vacancy must be filled under the new reapportionment plan in the manner provided by law for the district that has the same district number as the district from which the council member whose office is vacant was elected.

(E) Each political subdivision of the State described in subsection (A) shall furnish the Revenue and Fiscal Affairs Office a copy of the adopted version of the applicable reapportionment ordinance and its accompanying map and statistics.”

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

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