**South Carolina General Assembly**

124th Session, 2021-2022

**A32, R45, S607**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Hembree and Hutto

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Introduced in the Senate on February 24, 2021

Introduced in the House on March 18, 2021

Last Amended on March 16, 2021

Passed by the General Assembly on April 30, 2021

Governor's Action: May 6, 2021, Signed

Summary: Removal of charter school board members

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/24/2021 Senate Introduced and read first time ([Senate Journal‑page 5](file:///h%3A%5Csj%5C20210224.docx))

 2/24/2021 Senate Referred to Committee on **Education** ([Senate Journal‑page 5](file:///h%3A%5Csj%5C20210224.docx))

 3/10/2021 Senate Committee report: Favorable with amendment **Education** ([Senate Journal‑page 10](file:///h%3A%5Csj%5C20210310.docx))

 3/16/2021 Senate Committee Amendment Adopted ([Senate Journal‑page 18](file:///h%3A%5Csj%5C20210316.docx))

 3/16/2021 Senate Read second time ([Senate Journal‑page 18](file:///h%3A%5Csj%5C20210316.docx))

 3/16/2021 Senate Roll call Ayes‑43 Nays‑0 ([Senate Journal‑page 18](file:///h%3A%5Csj%5C20210316.docx))

 3/17/2021 Senate Read third time and sent to House ([Senate Journal‑page 16](file:///h%3A%5Csj%5C20210317.docx))

 3/18/2021 House Introduced and read first time ([House Journal‑page 11](file:///h%3A%5Chj%5C20210318.docx))

 3/18/2021 House Referred to Committee on **Education and Public Works** ([House Journal‑page 11](file:///h%3A%5Chj%5C20210318.docx))

 4/22/2021 House Committee report: Favorable **Education and Public Works** ([House Journal‑page 23](file:///h%3A%5Chj%5C20210422.docx))

 4/28/2021 House Debate adjourned ([House Journal‑page 35](file:///h%3A%5Chj%5C20210428.docx))

 4/29/2021 House Read second time ([House Journal‑page 18](file:///h%3A%5Chj%5C20210429.docx))

 4/29/2021 House Roll call Yeas‑108 Nays‑0 ([House Journal‑page 18](file:///h%3A%5Chj%5C20210429.docx))

 4/29/2021 House Unanimous consent for third reading on next legislative day ([House Journal‑page 20](file:///h%3A%5Chj%5C20210429.docx))

 4/30/2021 House Read third time and enrolled ([House Journal‑page 2](file:///h%3A%5Chj%5C20210430.docx))

 5/6/2021 Signed By Governor

 5/4/2021 Ratified R 45

 5/13/2021 Effective date 05/06/21

 5/13/2021 Act No.  32

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=607&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/24/2021](file:///p%3A%5Cpprever%5C2021-22%5C607_20210224.docx)

[3/10/2021](file:///p%3A%5Cpprever%5C2021-22%5C607_20210310.docx)

[3/16/2021](file:///p%3A%5Cpprever%5C2021-22%5C607_20210316.docx)

[4/22/2021](file:///p%3A%5Cpprever%5C2021-22%5C607_20210422.docx)

(A32, R45, S607)

**AN ACT TO AMEND SECTION 59‑40‑75, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REMOVAL OF CHARTER SCHOOL DISTRICT BOARD MEMBERS FOR CAUSE OR DUE TO INCAPACITY, SO AS TO REVISE THE GROUNDS FOR REMOVAL, TO PROVIDE RESULTING MEMBERSHIP VACANCIES MUST BE FILLED PURSUANT TO CERTAIN BYLAWS OF THE CHARTER SCHOOL, AND TO REMOVE THE SOUTH CAROLINA CHARTER SCHOOL DISTRICT FROM THESE PROVISIONS.**

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

**Removal grounds, vacancies**

SECTION 1. Section 59‑40‑75(B) of the 1976 Code is amended to read:

 “(B) Notwithstanding another provision of law to the contrary, members of a charter school board of directors who wilfully commit or engage in an act of malfeasance, misfeasance, absenteeism, conflicts of interest, misconduct, or persistent neglect of duty in office, or are deemed incompetent or incapacitated, may be removed from office by the Governor upon any of the forgoing causes being made to the satisfaction of the Governor. Before removing the officer, the Governor shall inform him in writing of the specific charges brought against him and give him an opportunity on reasonable notice to be heard. Vacancies occurring in the membership of any board of directors as a result of removal pursuant to this subsection must be filled in the manner provided in the charter school’s bylaws.”

**Time effective**

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

Ratified the 4th day of May, 2021.

Approved the 6th day of May, 2021.

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