**A** **BILL**

TO AMEND CHAPTER 29, TITLE 6 OF THE 1976 CODE, BY ADDING SECTION 6‑29‑1153 TO PROVIDE THAT A GOVERNING BODY AND A LOCAL PLANNING COMMISSION SERVICING AN AREA IN A HIGH GROWTH COUNTY MUST PROVIDE THE LOCAL SCHOOL DISTRICT LAND DEVELOPMENT APPLICATIONS THAT INCLUDE RESIDENTIAL HOUSING WHICH MEET CERTAIN CRITERIA; AND TO REQUIRE THE SUPERINTENDENT AND BOARD OF TRUSTEES OF THE SCHOOL DISTRICT TO DETERMINE WHETHER A PARTICULAR PROJECT WILL RESULT IN A SUBSTANTIAL IMPACT ON THE DISTRICT’S ABILITY TO PROVIDE SERVICES TO THE ADDITIONAL STUDENT POPULATION AND TO PREPARE A REPORT TO THE GOVERNING BODY AND THE LOCAL PLANNING COMMISSION DETAILING THE IMPACT AND NEED FOR ADDITIONAL RESOURCES.

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

SECTION 1. Chapter 29, Title 6 of the 1976 Code is amended by adding:

“Section 6‑29‑1153. (A) A local planning commission shall provide all applications and accompanying materials for land development projects that include residential housing to the superintendent of the school district in which the project is to be located, if the project:

(1) is greater than twenty‑five acres in size; or

(2) has an anticipated residential population density equal to or greater than the average residential density of all land developments within the boundaries of the district, or both.

The planning commission shall determine whether any land development project meets these criteria and shall provide the information at no charge to the superintendent within five business days of receiving the application. The local planning commission and superintendent may agree that the information is to be provided electronically or by some other suitable means. This section only applies to a county or municipal local planning commission servicing an area within a county that ranked in the top third of population growth in the preceding year as determined by the Office of Research and Statistics of the State Budget and Control Board.

(B) The superintendent shall review all land development projects described in subsection (A) received by the district and report the results of that review to the board of trustees of the district. The superintendent and the board of trustees both will determine whether the additional anticipated increase in student population resulting from the land development project will have a substantial impact on the district’s ability to provide services to the additional student population. If either determination is positive, the superintendent and the board shall prepare a report that describes the impact and details the need for additional facilities, teachers, and other resources necessary to service the additional student population. In determining whether a particular project result in a substantial impact, the superintendent and the board shall consider not only the impact of the particular project but also the aggregate impact of the project with other projects pending at the time the superintendent conducts his review. The report must be provided, within thirty days of the district’s receipt of the application, to the governing body and to the local planning commission of the applicable county or municipality. The report must be maintained as part of the land development application and made available to the public promptly and, if possible, before any public hearing on the application.”

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

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