**A** **BILL**

TO AMEND SECTION 59‑23‑210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CONSTRUCTION, IMPROVEMENT, AND RENOVATION OF PUBLIC SCHOOLS, SO AS TO PROVIDE THAT NEW CONSTRUCTION OF ELEMENTARY, MIDDLE, AND HIGH SCHOOL FACILITIES MUST COMPLY WITH SPECIFIED DESIGN AND ARCHITECTURAL REQUIREMENTS IMPOSED BY A COMMITTEE OF THE STATE DEPARTMENT OF EDUCATION, THAT THIS COMMITTEE SHALL CREATE THREE STANDARD ARCHITECTURAL PLANS FOR ELEMENTARY SCHOOLS, MIDDLE SCHOOLS, AND HIGH SCHOOLS TO WHICH ALL NEW CONSTRUCTION MUST COMPLY UNLESS PRIOR APPROVAL FOR ADAPTATION IS RECEIVED BY THE STATE DEPARTMENT OF EDUCATION, THAT STANDARD PLANS ARE THE PROPERTY OF THE STATE DEPARTMENT OF EDUCATION UPON ADOPTION, AND THAT A SCHOOL DISTRICT MAY NOT BE CHARGED FOR USE OF THE PLANS.

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

SECTION 1. Section 59‑23‑210(A) of the 1976 Code, as added by Act 87 of 2003, is amended to read:

“Section 59‑23‑210. (A) ~~All~~ Construction, improvement, and renovation of public school buildings and property on or after the effective date of this section ~~shall~~ must comply with design and architectural requirements, as well as the latest applicable standards and specifications ~~set forth~~ provided in the South Carolina School Facilities Planning and Construction Guide ~~as~~ published by the South Carolina Department of Education.

This guide must be reviewed and updated on an annual basis by a committee appointed by the South Carolina Department of Education. The committee shall consist of a minimum of two architects and one engineer who are all registered in South Carolina and experienced in K‑12 design, one K‑12 school administrator, one representative of the K‑12 construction industry, the State Fire Marshal or his designee, a representative of the Traffic Engineering Division of the South Carolina Department of Transportation, and two representatives of the South Carolina Department of Education. In addition, the Chairman of the House of Representatives Education and Public Works Committee or his designee and the Chairman of the Senate Education Committee or his designee shall also serve as members of the committee, ex officio.

By January 1, 2010, the committee shall develop design and architectural standards for new school construction and shall create three standard architectural plans for elementary schools, middle schools, and high schools. New construction of these schools must comply with one of the standard plans unless the school district receives prior approval for necessary adaptations to one of the standard plans by the South Carolina Department of Education. Standard plans designed by the committee and purchased from architectural firms by the State Department of Education become the property of the department upon adoption. School districts that use these standard plans may not be charged for the use of the plans, but may be charged for adaptations to the standard plans.”

SECTION 2. The provisions of this section must be implemented beginning with the 2010-2011 school year.

SECTION 3. This act takes effect upon approval by the Governor.

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