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Indicates New Matter

INTRODUCED

March 24, 2010

**H. 4772**

Introduced by Reps. Millwood, Mitchell, Anthony, Forrester, Allison, Cole, Kelly and Littlejohn

L. Printed 3/24/10--H.

Read the first time March 24, 2010.

**A** **BILL**

TO AMEND ACT 612 OF 1984, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES OF THE SCHOOL DISTRICTS OF SPARTANBURG COUNTY, SO AS TO PROVIDE THAT BEGINNING IN 2012 ELECTIONS MUST BE HELD ON EVEN‑NUMBERED YEARS AT THE TIME OF THE GENERAL ELECTION, TO PROVIDE THAT THE TERMS OF TRUSTEES THAT EXPIRE IN 2011 MUST BE EXTENDED FOR ONE YEAR, TO PROVIDE THAT THE TERMS OF TRUSTEES THAT EXPIRE IN 2013 MUST BE SHORTENED BY ONE YEAR, AND TO PROVIDE FOR THE ELECTION OF ALL TRUSTEES IN NOVEMBER 2012.

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

SECTION 1. Act 612 of 1984, as last amended by Act 111 of 2009, is further amended to read:

“SECTION 1. (A) Notwithstanding ~~any other~~ another provision of law, beginning with the election held on the first Tuesday following the first Monday in November ~~of 1985~~ 2012, and every ~~odd‑numbered~~ even‑numbered year thereafter, in each of the school districts of Spartanburg County, as established by the county board of education, there is a board of trustees, as provided by law, who must be elected in a nonpartisan election by the qualified electors of the district. The applicable laws governing elections in this State shall apply to the election of trustees, mutatis mutandis. The county commissioners of election shall prepare the necessary ballots, appoint managers for the voting precincts in the district, and do all things necessary to carry out the election. The district in which the election is held must pay from its school funds the cost of the election. The managers shall report the results to the county commissioners of the election who must certify them to the county board of education, which board shall declare the results of the election, hear and pass on any contest, and decide the contest. The decision of the county board of education may be appealed under the provisions of Section 59‑15‑30 of the 1976 Code.

(B) After the effective date of this act, the terms of office of the members of each board of trustees shall expire in the following manner and each member must run for election as provided in this act: ~~the members whose terms expire in 1985 must run for election in November;~~ the members whose terms expire in ~~1986~~ 2011 must be extended for one year; all members whose terms originally expired in ~~1986 and expire in 1987 must~~ 2013 shall run for election in November~~; all members whose terms originally expired in 1988 and expire in 1989 must run for reelection in November~~. After November, ~~1989~~ 2012, all trustees must be elected under the provisions of this act. All terms of office must begin December first ~~of~~ in the year following the election in which a member is elected. Nothing contained in this act prevents any trustee from succeeding himself.

(C)(1) To place the name of an at‑large candidate on the ballot, qualified electors of the school district must file with the Spartanburg County Election Commission, not less than sixty days before the date of the election, a petition which must contain the names of qualified electors of a number equal to not less than one hundred twenty qualified electors of the district or five percent of the total number of electors of the district, whichever is ~~the lesser~~ less. In the event no petition is field within the time limits specified, the appropriate district board of trustees shall appoint a successor.

(2) To place the name of a candidate for a school district board of trustees from a single‑member district on the ballot, qualified electors of the single‑member district shall file with the Spartanburg County Election Commission, not less than sixty days before the date of the election, a petition which must contain the names of the qualified electors of a number equal to not less than seventy‑five qualified electors of the single‑member district or five percent of the total number of electors of the single‑member district , whichever is ~~the lesser~~ less. In the even no petition is filed within the time limits specified, the appropriate district board of trustees must appoint a successor.

(D) An incumbent trustee may be reappointed by the board two times in the event no one has filed a petition of candidacy for that position at least sixty days before the date of the election as provided in this act.

(E) The county board of education shall fill any vacancy in the governing body of any school district.”

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

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