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INTRODUCED

April 28, 2009

**S. 757**

Introduced by Senator Peeler

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Read the first time April 28, 2009.

**A** **BILL**

TO AMEND ACT 587 OF 1992, AS AMENDED, RELATING TO THE DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES OF CHEROKEE COUNTY SCHOOL DISTRICT 1 ARE TO BE ELECTED, SO AS TO PROVIDE THAT MEMBERS MUST BE ELECTED FROM REVISED SINGLE‑MEMBER DISTRICTS; TO REDESIGNATE A MAP NUMBER ON WHICH THESE DISTRICTS ARE DESIGNATED; AND TO CHANGE THE BOUNDARIES OF THE CHEROKEE COUNTY SCHOOL DISTRICT 1 AND THE BOUNDARIES OF SPARTANBURG SCHOOL DISTRICT NO. 2 TO MAKE THE TWO BOUNDARIES OF THE DISTRICTS COTERMINOUS WITH THE COUNTY BOUNDARIES OF CHEROKEE AND SPARTANBURG COUNTY.

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

SECTION 1. Section 1 of Act 587 of 1992, as last amended by Act 416 of 2002, is further amended to read:

“Section 1. (A) Notwithstanding ~~any other~~ another provision of law, ~~beginning with the 2002 election,~~ the Board of Trustees of Cherokee County School District 1 consists of ~~seven~~ nine members who must be elected in nonpartisan elections to be held at the same time as the general election in even‑numbered years in the manner ~~hereinafter~~ provided by this act. One member of the board must be a resident of and elected from each of the ~~seven~~ nine defined single‑member election districts established in Section 2A of this act. Members of the board ~~shall be~~ are elected for four‑year terms and until their successors are elected and qualify~~, except that in 2002, members from Districts 2, 3, 4, and 6 shall be elected and in 2004 members from Districts 1, 5, and 7 shall be elected. Upon the members elected in 2002 taking office, the terms of the present members of the board from Districts 8 and 9 shall expire thereby resulting in a seven-member board~~. ~~In the event of~~ If a vacancy on the board ~~occurring~~ occurs for any reason other than expiration of a term, the board shall call a special election to fill the unexpired term, so long as the vacancy does not occur within ten months of a regular trustee election. In this case, the vacancy must be filled for the unexpired term or for a full term as appropriate at the next regular election.

(B) Each member of the board must be elected by the qualified electors of the respective district from which the candidate seeks election. All persons desiring to qualify as a candidate shall file written notice of candidacy with the county election commission, or with the clerk of court on forms furnished by the commission which forms must be transmitted to the commission by the clerk of court. This notice of candidacy must be a sworn statement and must include the candidate’s name, age, residence address, voting precinct, period of residence in the election district from which election is sought, and other information as the county election commission requires. The filing period opens at noon on the second Friday of August of the year in which the nonpartisan election is to be held and closes at noon on the fourth Friday of August of that year.

(C) The county commissioners of election shall conduct and supervise the elections for members of the board in the manner governed by the election laws of this State, mutatis mutandis. The commissioners shall prepare the necessary ballots, appoint managers for the voting precincts, and do all things necessary to carry out the elections, including the counting of ballots and declaring the results. The commission shall publish notices of the time, polling places, and purpose of the election in a newspaper of general circulation within the district once a week for at least two successive weeks before the election. The results of the elections must be determined by the nonpartisan plurality method as contained in Section 5‑15‑61 of the 1976 Code.

(D) The members of the board elected in these nonpartisan elections shall take office one week following certification of their election as provided in Section 59‑19‑315 of the 1976 Code.

~~(B)~~(E) ~~Beginning with the 2002 election,~~ Candidates for election to the board shall pay a two hundred dollar filing fee to the county election commission at the time of filing for election which shall be transmitted to the board and held in a special account to offset the cost of these school trustee elections. ~~After the 2002 election,~~ The board by majority vote is authorized to increase this filing fee as and if necessary.”

SECTION 2. Section 2 of Act 587 of 1992 is deleted.

SECTION 3. Section 2A of Act 587 of 1992, as added by Act 416 of 2002, is amended to read:

“Section 2. A. The ~~seven~~ nine single‑member election districts from which members of the board of trustees of Cherokee County School District 1 ~~shall~~ must be elected ~~beginning in 2002~~ are as shown on map reference ~~S‑21‑00‑02~~ S‑21‑01‑09 compiled and maintained by the Office of Research and ~~Statistical Services~~ Statistics of the State Budget and Control Board.

B. The boundaries of Spartanburg County School District No. 2 are as shown on map reference S‑83‑02‑09 compiled and maintained by the Office of Research and Statistics of the State Budget and Control Board.”

SECTION 4. This act takes effect upon approval by the Governor.

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