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Indicates New Matter

INTRODUCED

April 19, 2012

**S. 1469**

Introduced by Senator Malloy

L. Printed 4/19/12--S.

Read the first time April 19, 2012.

**A** **BILL**

TO AMEND ACT 748 OF 1978, AS AMENDED RELATING TO THE BOARD OF EDUCATION OF DARLINGTON COUNTY, TO RESTRICT THE AUTHORITY OF THE BOARD TO INCREASE THE TAX LEVY WITHOUT THE APPROVAL OF A VOTE OF THE COUNTY ELECTORATE.

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

SECTION 1. Section 1 of Act 748 of 1978, as last amended by Act 416 of 2006, is further amended to read:

“Section 1. Notwithstanding any other provision of law, effective January 1, 1993, the Darlington County School District shall be governed by the Board of Education of Darlington County composed of eight members. All members must be elected in a nonpartisan manner in the general election in the years when members of the South Carolina House of Representatives are elected, commencing with the general election of 1992. The term of office for each member is four years, and each member shall serve until his successor is elected and qualifies for office. Four members, to be designated by lot after the 1992 general election, shall serve initial terms of two years, and the remaining four members shall serve initial terms of four years, all until their successors are elected and qualify. Thereafter, all members shall be elected for, and shall serve, terms of four years each. A member’s term of office commences on the first day of January next following his election. Vacancies shall be filled by a majority of the remaining members of the board for the unexpired portion of the term only. Each member must be a qualified elector of the election district he represents and, except when filling a vacancy as previously prescribed, must be elected by the qualified electors of that district only. Any person wishing to become a candidate for a seat on the board shall submit his name by noon on September first, or, if September first falls on a Sunday or a legal holiday, by noon on the next regular business day, to the authority which is charged by law with conducting the election, along with any other information that that authority considers necessary, on forms to be provided by the authority. That authority shall cause to be published in a newspaper of general circulation in the county two notices of the election, including its date, the deadline for submitting a name as a candidate, and all other appropriate information regarding the election. The first notice must be published not earlier than thirty days before the deadline for submitting a name as a candidate, and the second notice must be published not later than seven days before the deadline for submitting a name as a candidate.

The board has the powers and duties as are provided by law, including the authority to:

(a) prepare and approve the annual budget and determine expenditures of funds obtained from all sources for the operation of the school district and all programs, offices, and organizations under the authority of the board;

(b) ~~determine and approve the local tax funds necessary for operational purposes~~ levy taxes to provide funds for school operating expenses; provided, such levy may not be increased over the preceding year without first being submitted to a vote of the registered electors of the county and may only be adopted by a majority vote of the qualified electors present and casting a ballot;

(c) determine the capital outlay needs of the school district and issue bonds for those needs within the bonded debt limit of the school district;

(d) determine salaries and allowances of members of the board and determine and approve local tax funds necessary for this purpose;

(e) exercise all other powers and duties as provided by general law for district school boards.”

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

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