~~Indicates Matter Stricken~~

Indicates New Matter

RECALLED

March 21, 2012

**S. 321**

Introduced by Senators O’Dell and Nicholson

L. Printed 3/21/12--H.

Read the first time January 20, 2011.

**A** **BILL**

TO AMEND ACT 595 OF 1994, AS AMENDED, RELATING TO THE ELECTION OF MEMBERS OF THE BOARD OF TRUSTEES OF GREENWOOD SCHOOL DISTRICT 50 IN GREENWOOD COUNTY, SO AS TO PROVIDE THAT IF THE NUMBER OF CANDIDATES FOR THE BOARD OF TRUSTEES IS EQUAL TO OR LESS THAN THE NUMBER OF POSITIONS TO BE FILLED, THE COUNTY ELECTION COMMISSION SHALL DECLARE THOSE CANDIDATES ELECTED.

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

SECTION 1. Section 1(A) of Act 595 of 1994, as last amended by Act 140 of 2007, is further amended to read:

“Section 1. (A) Notwithstanding ~~any other~~ another provision of law, the Board of Trustees of Greenwood School District 50 consists of nine members who must be elected in nonpartisan elections to be held beginning in 1994 at the same time as the general election in the year specified or required in the manner ~~hereinafter~~ provided in this section. Based on the implementation schedule provided in subsection (B), one member of the board must be a resident of and elected from each of the nine defined single‑member election districts established in Section 2 of this act. Except for initial terms otherwise provided in subsection (B), members of the board ~~shall~~ must be elected for four‑year terms and until their successors are elected and qualify. In the event of a vacancy on the board occurring for any reason other than expiration of a term, the Greenwood County Election Commission 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.

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~~ A person who desires to qualify as a candidate shall file a written statement of candidacy with the county election commission on forms furnished by the election commission. This statement of candidacy must include ~~such~~ information ~~as~~ the county election commission requires. The filing period opens on the first Tuesday in August at noon to run for two weeks.

The county election commission shall conduct and supervise the elections for members of the board in the manner governed by the elections laws of this State, mutatis mutandis. The county election commission 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 county election commission shall give at least thirty days’ notice of an election by publishing a notice of it in a newspaper of general circulation in the district once a week for two consecutive weeks, all of which notices must be run at least thirty days before the scheduled election. The notices ~~shall~~ must include, but may not be limited to, the date and time of the election, the polling places of the election, and the place where candidates may file for election. If the number of candidates who offer for the position of trustee is less than or equal to the number of positions to be filled, the county election commission shall declare those who filed as elected to the position. If no candidate files for the office of trustee or if the number of candidates who file is less than the number to complete the board, the provisions of Section 7‑13‑1120 of the 1976 Code relating to write‑in ballots apply. The results of the elections must be determined by the nonpartisan plurality method as contained in Section 5‑15‑61 of the 1976 Code. The costs of the elections must be borne by the school district and be determined by the county election commission.

~~Any~~ A person aggrieved by the election of a trustee pursuant to this act, within fifteen days after the election, shall file with the county election commission a written petition stating his grievance and the grounds for it. The county election commission shall rule upon the petition within sixty days after its filing.

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.”

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

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