INTRODUCED

January 19, 2011

**H. 3321**

Introduced by Rep. J.R. Smith

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Read the first time January 19, 2011.

**A** **BILL**

TO AMEND ACT 1006 OF 1958, RELATING TO THE BATH WATER AND SEWER DISTRICT, THE CLEARWATER WATER AND SEWER DISTRICT, AND THE LANGLEY WATER AND SEWER DISTRICT IN AIKEN COUNTY AND THE ELECTION OF COMMISSIONERS FOR THESE DISTRICTS, SO AS TO PROVIDE THAT NO PERSON MAY SERVE AS A COMMISSIONER OF THESE DISTRICTS AND ALSO SERVE AS AN OFFICER OR EMPLOYEE OF THE SAME DISTRICT, AND TO REQUIRE PRESENT COMMISSIONERS IN VIOLATION OF THIS PROVISION TO MAKE A WRITTEN ELECTION AS TO WHICH POSITION WILL BE RETAINED AND WHICH POSITION BY THAT ELECTION IS BEING RESIGNED.

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

SECTION 1. Section 3 of Act 1006 of 1958 is amended by adding a new paragraph at the end to read:

“A person may not serve as a commissioner of the Bath Water and Sewer District, the Clearwater Water and Sewer District, or the Langley Water and Sewer District in Aiken County and also be an officer or employee of the water and sewer district of which they are a commissioner. Any person on the effective date of this paragraph serving as a water and sewer district commissioner and as an officer or employee of the same district in violation of the provisions of this paragraph, within thirty days, shall elect to serve in only one of these capacities and for this purpose shall file a written election with the district and the Secretary of State as to the position which will be retained and which position by that election is being resigned. A person required to file this written election within thirty days who fails to do so is deemed to have vacated the office of water and sewer district commissioner which vacancy then must be filled as provided by law.”

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

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