**South Carolina General Assembly**

120th Session, 2013-2014

**A59, R99, H3472**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Owens, Harrell, Patrick, Gambrell, Taylor, Wells, Anthony, Mitchell, Cobb‑Hunter, Allison, Pitts, Daning, Wood and Southard

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Introduced in the House on January 31, 2013

Introduced in the Senate on February 28, 2013

Last Amended on May 13, 2013

Passed by the General Assembly on June 5, 2013

Governor's Action: June 12, 2013, Signed

Summary: Private schools

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/31/2013 House Introduced and read first time ([House Journal‑page 26](file:///h:\HJ%20Archive\2013\01-31-13.docx))

1/31/2013 House Referred to Committee on **Education and Public Works** ([House Journal‑page 26](file:///h:\HJ%20Archive\2013\01-31-13.docx))

2/5/2013 House Member(s) request name added as sponsor: Gambrell, Taylor, Wells, Anthony, Mitchell, Cobb‑Hunter, Allison

2/6/2013 House Member(s) request name added as sponsor: Pitts, Daning

2/19/2013 House Member(s) request name added as sponsor: Wood

2/21/2013 House Committee report: Favorable **Education and Public Works** ([House Journal‑page 2](file:///h:\HJ%20Archive\2013\02-21-13.docx))

2/22/2013 Scrivener's error corrected

2/26/2013 House Member(s) request name added as sponsor: Southard

2/27/2013 House Read second time ([House Journal‑page 53](file:///h:\HJ%20Archive\2013\02-27-13.docx))

2/27/2013 House Roll call Yeas‑105 Nays‑0 ([House Journal‑page 54](file:///h:\HJ%20Archive\2013\02-27-13.docx))

2/28/2013 House Read third time and sent to Senate ([House Journal‑page 38](file:///h:\HJ%20Archive\2013\02-28-13.docx))

2/28/2013 Senate Introduced and read first time ([Senate Journal‑page 15](file:///h:\SJ%20Archive\2013\02-28-13.docx))

2/28/2013 Senate Referred to Committee on **Education** ([Senate Journal‑page 15](file:///h:\SJ%20Archive\2013\02-28-13.docx))

5/9/2013 Senate Committee report: Favorable with amendment **Education** ([Senate Journal‑page 5](file:///h:\SJ%20Archive\2013\05-09-13.docx))

5/13/2013 Senate Committee Amendment Adopted ([Senate Journal‑page 10](file:///h:\SJ%20Archive\2013\05-13-13.docx))

5/13/2013 Senate Read second time ([Senate Journal‑page 10](file:///h:\SJ%20Archive\2013\05-13-13.docx))

5/14/2013 Senate Read third time and returned to House with amendments ([Senate Journal‑page 9](file:///h:\SJ%20Archive\2013\05-14-13.docx))

5/21/2013 House Debate adjourned until Wed., 5‑29‑13 ([House Journal‑page 51](file:///h:\HJ%20Archive\2013\05-21-13.docx))

5/29/2013 House Debate adjourned until Thur., 5‑30‑13 ([House Journal‑page 35](file:///h:\HJ%20Archive\2013\05-29-13.docx))

5/30/2013 House Debate adjourned until Tues., 6‑4‑13 ([House Journal‑page 85](file:///h:\HJ%20Archive\2013\05-30-13.docx))

6/4/2013 House Debate adjourned until Wed., 6‑5‑13 ([House Journal‑page 26](file:///h:\HJ%20Archive\2013\06-04-13.docx))

6/5/2013 House Concurred in Senate amendment and enrolled ([House Journal‑page 15](file:///h:\HJ%20Archive\2013\06-05-13.docx))

6/11/2013 Ratified R 99

6/12/2013 Signed By Governor

6/18/2013 Effective date See Act for Effective Date

6/18/2013 Act No. 59

**VERSIONS OF THIS BILL**

[1/31/2013](file:///p:\pprever\2013-14\3472_20130131.docx)

[2/21/2013](file:///p:\pprever\2013-14\3472_20130221.docx)

[2/22/2013](file:///p:\pprever\2013-14\3472_20130222.docx)

[5/9/2013](file:///p:\pprever\2013-14\3472_20130509.docx)

[5/13/2013](file:///p:\pprever\2013-14\3472_20130513.docx)

(A59, R99, H3472)

**AN ACT TO AMEND SECTION 59‑40‑210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CONVERSION OF A PRIVATE SCHOOL TO A CHARTER SCHOOL AND THE REQUIREMENT THAT THE CONVERTED PRIVATE SCHOOL NOT BE ALLOWED TO OPEN AS A CHARTER SCHOOL FOR A PERIOD OF TWELVE MONTHS, SO AS TO PROVIDE THAT THE PROHIBITION AGAINST THE CONVERTED PRIVATE SCHOOL BEING ALLOWED TO OPEN AS A CHARTER SCHOOL FOR A PERIOD OF TWELVE MONTHS DOES NOT APPLY UNDER SPECIFIED CONDITIONS IF THE ENROLLMENT OF THE CONVERTED PRIVATE SCHOOL FOR THE MOST RECENTLY COMPLETED SCHOOL TERM BEFORE THE DATE OF THE PROPOSED CONVERSION REFLECTS THE RACIAL COMPOSITION OF THE LOCAL SCHOOL DISTRICT IN WHICH THE CONVERTED PRIVATE SCHOOL IS LOCATED; AND TO AMEND SECTION 59‑40‑100, AS AMENDED, RELATING TO THE CONVERSION TO A CHARTER SCHOOL, SO AS TO PROVIDE FOR THE MANNER IN WHICH CERTAIN SPECIAL PUBLIC SCHOOLS NOT ASSOCIATED WITH A PUBLIC SCHOOL DISTRICT MAY APPLY TO BECOME A PUBLIC CHARTER SCHOOL, AND TO PROVIDE THAT IF THE SPECIAL PUBLIC SCHOOL BECOMES A PUBLIC CHARTER SCHOOL, IT SHALL NOT BE DEEMED TO BE A CONVERTED CHARTER SCHOOL.**

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

**Twelve month delay in opening not required**

SECTION 1. Section 59‑40‑210 of the 1976 Code, as last amended by Act 274 of 2006, is further amended to read:

“Section 59‑40‑210. A school established as a private school, on the effective date of this section, which desires to convert to a charter school shall dissolve and must not be allowed to open as a charter school for a period of twelve months; provided, however, that if the enrollment of the converted private school for the most recently completed school term before the date of the proposed conversion to a charter school reflects the racial composition of the local school district in which the converted private school is located, the provisions of this section prohibiting the private school from opening as a charter school for a period of twelve months do not apply. However, the provisions of Section 59‑40‑70(D) continue to apply to a private school which was not required to close for a period of twelve months after its conversion to a charter school.”

**Special public school becoming a public charter school**

SECTION 2. A. Section 59‑40‑100 of the 1976 Code, as last amended by Act 164 of 2012, is further amended by adding an appropriately numbered subsection to read:

“( ) A special public school that is funded directly by the State of South Carolina and, therefore, is not associated with a public school district may apply to become a public charter school if it serves as a professional development school for an institution of higher learning’s teacher education program. If a special public school becomes a public charter school pursuant to this subsection, the provisions of Section 59‑127‑75 do not apply.

Notwithstanding any other provision of law, if the qualifying special public school becomes a public charter school, it shall be deemed not to be a converted charter school.”

B. This SECTION takes effect upon approval by the Governor and applies beginning with the 2013‑2014 school year for any special public school that applies to become a public charter school by May 1, 2013.

**Time effective**

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 11th day of June, 2013.

Approved the 12th day of June, 2013.

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