**South Carolina General Assembly**

120th Session, 2013-2014

**R201, H5024**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Sellers

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Introduced in the House on April 1, 2014

Introduced in the Senate on April 3, 2014

Passed by the General Assembly on May 7, 2014

Governor's Action: May 21, 2014, Vetoed

Legislative veto action(s): Veto sustained

Summary: Denmark-Olar School District No. 2

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/1/2014 House Introduced, read first time, placed on calendar without reference ([House Journal‑page 35](file:///H:\HJ%20Archive\2014\04-01-14.docx))

4/2/2014 House Read second time ([House Journal‑page 8](file:///H:\HJ%20Archive\2014\04-02-14.docx))

4/2/2014 House Roll call Yeas‑61 Nays‑2 ([House Journal‑page 8](file:///H:\HJ%20Archive\2014\04-02-14.docx))

4/3/2014 House Read third time and sent to Senate ([House Journal‑page 12](file:///H:\HJ%20Archive\2014\04-03-14.docx))

4/3/2014 Senate Introduced, read first time, placed on local & uncontested calendar ([Senate Journal‑page 13](file:///H:\SJ%20Archive\2014\04-03-14.docx))

5/6/2014 Senate Read second time ([Senate Journal‑page 17](file:///H:\SJ%20Archive\2014\05-06-14.docx))

5/7/2014 Senate Read third time and enrolled ([Senate Journal‑page 8](file:///H:\SJ%20Archive\2014\05-07-14.docx))

5/15/2014 Ratified R 201

5/21/2014 Vetoed by Governor

5/28/2014 House Veto sustained Yeas‑52 Nays‑39

**VERSIONS OF THIS BILL**

[4/1/2014](file:///p:\pprever\2013-14\5024_20140401.docx)

[4/1/2014-A](file:///p:\pprever\2013-14\5024_20140401A.docx)

[4/3/2014](file:///p:\pprever\2013-14\5024_20140403.docx)

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(R201, H5024)

**AN ACT TO ALLOW THE BOARD OF TRUSTEES OF DENMARK‑OLAR SCHOOL DISTRICT NO. 2 IN BAMBERG COUNTY TO IMPOSE A CAPITAL MILLAGE TO PROVIDE SCHOOL BUILDINGS IN THE DISTRICT, INCLUDING ANY ASSOCIATED LEASE PAYMENTS, AND TO MAKE FINDINGS THAT ILLUSTRATE THE UNIQUE ISSUES FACING THE DISTRICT.**

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

**Findings**

SECTION 1. (A) The General Assembly finds:

(1) The Denmark‑Olar School District No. 2 was created by an Order of Consolidation of the Bamberg County Board of Education dated September 21, 1951. The district operates one high school, one middle school, and one elementary school. The high school was constructed in 1994 and represents the district’s newest education building. The middle school and the elementary school were constructed in 1954 and 1957, respectively. While every effort has been made to maintain the middle school and elementary school facilities, the facilities are significantly outdated and are no longer viable facilities for the growing needs of the district.

(2) The district was given an “average” rating with a “good” growth rating in the state’s 2013 report card. This represents a significant improvement from its “at‑risk” rating and “below‑average” growth rating in 2009. Despite recent academic success and signs of educational improvement, the district’s substandard facilities are viewed as a significant hindrance toward continued progress in the district.

(3) While we are mindful of the limitations of special legislation under the Constitution, we believe that the capital millage authorization provided below will allow the district’s facilities to be updated, improved, and/or replaced. Absent the implementation of capital millage, the district’s students will be substantially limited in their access to technology and other necessary learning tools and it is highly likely that recent progress will stall or even regress.

(4) The problems facing the district are unique in that the combination of low assessed value, facilities needs beyond those encountered by other school districts, and the need to reduce operating budget costs that are driven higher by the age of existing facilities warrants the use of a capital millage to afford the district an opportunity to address its needs with methods that are not needed by other school districts.

(B) The General Assembly further finds that all actions taken by the district under the provisions of this act serve and better influence the educational welfare of the students in the district.

**Capital millage authorized**

SECTION 2. (A) For purposes of ad valorem taxation, the board of trustees of Denmark‑Olar School District No. 2 may impose a capital millage. Capital millage is separate and distinct from operating millage and debt service millage. The provisions of Section 6‑1‑320 of the 1976 Code, or any millage limitation set forth pursuant to a local act of the General Assembly, do not apply to capital millage.

(B) The proceeds of the capital millage must be used to provide school buildings in the district, including any lease payments associated therewith. The proceeds may not be used to issue bonds.

(C) For purposes of Section 11‑27‑110 of the 1976 Code, an enterprise financing agreement includes the use of capital millage levied pursuant to this section to pay amounts due under the financing agreement.

**Time effective**

SECTION 3. This act takes effect upon approval by the Governor and capital millage may be imposed beginning in the first property tax year after 2014.

Ratified the 15th day of May, 2014.

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*President of the Senate*

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*Speaker of the House of Representatives*

Approved the \_\_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_2014.

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*Governor*

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