**A** **BILL**

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.

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

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.”

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

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