**South Carolina General Assembly**

122nd Session, 2017-2018

**A267, R235, H3146**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Reps. Delleney, G.R. Smith, B. Newton, Pitts, G.M. Smith, Daning, Taylor, Martin, W. Newton, Elliott, Loftis, Burns, Hixon, Erickson and Willis

Document Path: l:\council\bills\ggs\22883zw17.docx

Companion/Similar bill(s): 137, 3036

Introduced in the House on January 10, 2017

Introduced in the Senate on February 23, 2017

Passed by the General Assembly on May 10, 2018

Governor's Action: No signature required

Summary: Superintendent of Education, appointed by the Governor

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/15/2016 House Prefiled

 12/15/2016 House Referred to Committee on **Judiciary**

 1/10/2017 House Introduced and read first time ([House Journal‑page 91](file:///h%3A%5Chj%5C20170110.docx))

 1/10/2017 House Referred to Committee on **Judiciary** ([House Journal‑page 91](file:///h%3A%5Chj%5C20170110.docx))

 1/11/2017 House Member(s) request name added as sponsor: Daning ([House Journal‑page 42](file:///h%3A%5Chj%5C20170111.docx))

 1/19/2017 House Member(s) request name added as sponsor: Taylor

 1/25/2017 House Committee report: Favorable **Judiciary** ([House Journal‑page 6](file:///h%3A%5Chj%5C20170125.docx))

 1/26/2017 Scrivener's error corrected

 1/31/2017 House Member(s) request name added as sponsor: Martin

 1/31/2017 House Requests for debate‑Rep(s). Clary, Hiott, Bamberg

 1/31/2017 House Debate adjourned until Wed., 2‑1‑17 ([House Journal‑page 27](file:///h%3A%5Chj%5C20170131.docx))

 2/1/2017 House Member(s) request name added as sponsor: W.Newton

 2/1/2017 House Requests for debate‑Rep(s). McCoy, Stavrinakis, GR Smith, Toole, Dilliard, Hosey, Weeks, JE Smith, Ott, Jefferson, Clyburn, Kirby, Robinson‑Simpson ([House Journal‑page 16](file:///h%3A%5Chj%5C20170201.docx))

 2/2/2017 House Member(s) request name added as sponsor: Elliott, Loftis, Burns

 2/7/2017 House Member(s) request name added as sponsor: Hixon

 2/16/2017 House Member(s) request name added as sponsor: Erickson

 2/22/2017 House Member(s) request name added as sponsor: Willis

 2/22/2017 House Read second time ([House Journal‑page 27](file:///h%3A%5Chj%5C20170222.docx))

 2/22/2017 House Roll call Yeas‑87 Nays‑24 ([House Journal‑page 27](file:///h%3A%5Chj%5C20170222.docx))

 2/23/2017 House Read third time and sent to Senate ([House Journal‑page 7](file:///h%3A%5Chj%5C20170223.docx))

 2/23/2017 Senate Introduced and read first time ([Senate Journal‑page 11](file:///h%3A%5Csj%5C20170223.docx))

 2/23/2017 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 11](file:///h%3A%5Csj%5C20170223.docx))

 5/3/2018 Senate Polled out of committee **Judiciary** ([Senate Journal‑page 3](file:///h%3A%5Csj%5C20180503.docx))

 5/3/2018 Senate Committee report: Favorable **Judiciary** ([Senate Journal‑page 3](file:///h%3A%5Csj%5C20180503.docx))

 5/8/2018 Senate Read second time ([Senate Journal‑page 93](file:///h%3A%5Csj%5C20180508.docx))

 5/8/2018 Senate Roll call Ayes‑26 Nays‑6 ([Senate Journal‑page 93](file:///h%3A%5Csj%5C20180508.docx))

 5/10/2018 Senate Read third time and enrolled ([Senate Journal‑page 181](file:///h%3A%5Csj%5C20180510.docx))

 5/10/2018 Senate Roll call Ayes‑38 Nays‑6 ([Senate Journal‑page 181](file:///h%3A%5Csj%5C20180510.docx))

 5/14/2018 Ratified R 235

 5/14/2018 No signature required

 5/14/2018 Effective date 05/14/18

 10/16/2018 Act No. 267

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3146&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/15/2016](file:///p%3A%5Cpprever%5C2017-18%5C3146_20161215.docx)

[1/25/2017](file:///p%3A%5Cpprever%5C2017-18%5C3146_20170125.docx)

[1/26/2017](file:///p%3A%5Cpprever%5C2017-18%5C3146_20170126.docx)

[5/3/2018](file:///p%3A%5Cpprever%5C2017-18%5C3146_20180503.docx)

(A267, R235, H3146)

**A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, AS AMENDED, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SUPERINTENDENT OF EDUCATION FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SUPERINTENDENT OF EDUCATION MUST BE APPOINTED BY THE GOVERNOR, UPON THE ADVICE AND CONSENT OF THE SENATE, TO SERVE AT THE PLEASURE OF THE GOVERNOR BEGINNING IN JANUARY 2023, OR UPON A VACANCY IN THE OFFICE OF THE SUPERINTENDENT OF EDUCATION AFTER THE DATE OF THE RATIFICATION OF THIS AMENDMENT, WHICHEVER OCCURS FIRST, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR THE OFFICE.**

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

**Appointment of Superintendent of Education**

SECTION 1. It is proposed that Section 7, Article VI of the Constitution of this State, as last amended by Act 1 of 2015, is further amended by adding the following new paragraph at the end:

 “Beginning in January 2023, or upon a vacancy in the office of Superintendent of Education after the date of the ratification of the provisions of this paragraph, whichever occurs first, the Superintendent of Education must be appointed by the Governor, with the advice and consent of the Senate. The appointed Superintendent of Education shall serve at the pleasure of the Governor. The General Assembly shall provide by law for the duties, compensation, and qualifications for the office.”

**Submission of ballot question to qualified electors**

SECTION 2. The proposed amendment in Section 1 must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

 “Must Section 7, Article VI of the Constitution of this State, relating to state constitutional officers, be amended so as to provide that beginning in January 2023, or upon a vacancy in the office of Superintendent of Education after the date of the ratification of the provisions of this paragraph, whichever occurs first, the Superintendent of Education must be appointed by the Governor, with the advice and consent of the Senate; to provide that the appointed Superintendent of Education shall serve at the pleasure of the Governor; and to require the General Assembly to provide by law for the duties, compensation, and qualifications for the office?

Yes 

No 

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

Ratified the 14th day of May, 2018.

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