**South Carolina General Assembly**

122nd Session, 2017-2018

**A198, R216, S888**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Hembree, Gregory, Bennett, Grooms, Climer, Shealy, Peeler, Goldfinch, Massey, Talley, Verdin, Turner, Timmons, Alexander, Cash, Gambrell, Campbell, Senn, Young, Cromer, Davis, Rice, Martin, Corbin and Rankin

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Introduced in the Senate on January 11, 2018

Introduced in the House on February 28, 2018

Last Amended on February 21, 2018

Passed by the General Assembly on May 3, 2018

Governor's Action: May 15, 2018, Signed

Summary: Public school faculty members, unused leave

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/11/2018 Senate Introduced and read first time ([Senate Journal‑page 5](file:///h%3A%5Csj%5C20180111.docx))

 1/11/2018 Senate Referred to Committee on **Education** ([Senate Journal‑page 5](file:///h%3A%5Csj%5C20180111.docx))

 2/15/2018 Senate Committee report: Favorable with amendment **Education** ([Senate Journal‑page 11](file:///h%3A%5Csj%5C20180215.docx))

 2/21/2018 Senate Committee Amendment Adopted ([Senate Journal‑page 12](file:///h%3A%5Csj%5C20180221.docx))

 2/21/2018 Senate Read second time ([Senate Journal‑page 12](file:///h%3A%5Csj%5C20180221.docx))

 2/21/2018 Senate Roll call Ayes‑45 Nays‑0 ([Senate Journal‑page 12](file:///h%3A%5Csj%5C20180221.docx))

 2/27/2018 Senate Read third time and sent to House ([Senate Journal‑page 18](file:///h%3A%5Csj%5C20180227.docx))

 2/28/2018 House Introduced and read first time ([House Journal‑page 3](file:///h%3A%5Chj%5C20180228.docx))

 2/28/2018 House Referred to Committee on **Education and Public Works** ([House Journal‑page 3](file:///h%3A%5Chj%5C20180228.docx))

 4/25/2018 House Committee report: Favorable **Education and Public Works** ([House Journal‑page 8](file:///h%3A%5Chj%5C20180425.docx))

 5/1/2018 House Debate adjourned until Wed., 5‑2‑18 ([House Journal‑page 106](file:///h%3A%5Chj%5C20180501.docx))

 5/2/2018 House Read second time ([House Journal‑page 35](file:///h%3A%5Chj%5C20180502.docx))

 5/2/2018 House Roll call Yeas‑97 Nays‑0 ([House Journal‑page 35](file:///h%3A%5Chj%5C20180502.docx))

 5/3/2018 House Read third time and enrolled ([House Journal‑page 5](file:///h%3A%5Chj%5C20180503.docx))

 5/14/2018 Ratified R 216

 5/15/2018 Signed By Governor

 5/23/2018 Effective date 05/15/18

 5/31/2018 Act No. 198

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=888&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/11/2018](file:///p%3A%5Cpprever%5C2017-18%5C888_20180111.docx)

[2/15/2018](file:///p%3A%5Cpprever%5C2017-18%5C888_20180215.docx)

[2/21/2018](file:///p%3A%5Cpprever%5C2017-18%5C888_20180221.docx)

[4/25/2018](file:///p%3A%5Cpprever%5C2017-18%5C888_20180425.docx)

(A198, R216, S888)

**AN ACT** **TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑25‑47 SO AS TO PROVIDE THE GOVERNING BODIES OF PUBLIC SCHOOL DISTRICTS AND CHARTER SCHOOLS MAY ALLOW CERTAIN FACULTY AND STAFF TO BE COMPENSATED FOR UNUSED ANNUAL LEAVE AND SICK LEAVE IN EXCESS OF NINETY DAYS AT THE END OF EACH FISCAL YEAR, TO MAKE THIS PROVISION APPLICABLE TO LEAVE IN EXCESS OF NINETY DAYS ACCRUED AFTER JULY 1, 2018, AND TO CLARIFY THE IMPACT ON EXISTING TEACHER INCENTIVE PROGRAMS AND LOCAL AUTHORITY RELATING TO SUCH PROGRAMS.**

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

**Unused leave payments authorized**

SECTION 1. Article 1, Chapter 25, Title 59 of the 1976 Code is amended by adding:

 “Section 59‑25‑47. (A) A local school district board of trustees or, in the case of a charter school, the governing body of a charter school, is authorized to adopt a policy consistent with the school district or, in the case of a charter school, the school budget, providing that all certified and noncertified public school teachers identified in the Professional Certified Staff listing, certified special school classroom teachers, certified media specialists, certified guidance counselors, and career specialists who are employed by a school district or a charter school who earn, but do not use sick and annual leave in excess of ninety days, may be eligible to receive payment at the end of each fiscal year for these earned days in excess of ninety days for each excess day at a district’s or charter school’s established rate of substitute pay for their individual job classification, or another amount, subject to approval by the local school board, or, in the case of a charter school, the governing body of the charter school. This provision applies only to sick leave and annual leave in excess of ninety days that is accrued after July 1, 2018.

 (B) Notwithstanding any provision contained in this section, this section does not and may not be construed to amend or to repeal:

 (1) the rights of a school district, charter school, or legislative delegation to set or restrict any existing teacher incentive payment programs; or

 (2) any existing teacher incentive payment programs provided by current law or any existing limitation on the fiscal autonomy of a school district or charter school that are more restrictive than any incentives provided in subsection (A).”

**Time effective**

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

Ratified the 14th day of May, 2018.

Approved the 15th day of May, 2018.

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