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FREE CONFERENCE COMMITTEE REPORT ADOPTED -- NOT PRINTED

April 25, 2017

**H. 3346**

Introduced by Reps. Collins, Clary and Hiott

L. Printed 3/30/17--S.

Read the first time February 1, 2017.

**A** **BILL**

TO AMEND ACT 260 OF 1981, AS AMENDED, RELATING TO THE PICKENS COUNTY SCHOOL BOARD OF TRUSTEES, SO AS TO INCREASE THE NUMBER OF BOARD MEMBERS FROM SIX TO SEVEN AND TO PROVIDE FOR SEVEN SINGLE‑MEMBER DISTRICTS BEGINNING WITH THE 2018 GENERAL ELECTION; AND TO PROVIDE FOR A PROCEDURE FOR CLOSING A SCHOOL WITHIN THE DISTRICT.

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

SECTION 1. Act 260 of 1981, as last amended by Act 90 of 2011, is further amended to read:

“Section 1. Notwithstanding another provision of law, the Public Educational System of Pickens County is directed and managed by the Board of Trustees of the School District of Pickens County. ~~The~~ Beginning with the 2018 general election, the board must be comprised of ~~six~~ seven members, ~~all~~ each of whom must be a qualified ~~electors~~ elector ~~from each of~~ and each must reside in the single‑member district he represents. ~~districts for which members of the county governing body of Pickens County are elected~~ The lines defining the single-member districts are as shown on an official map on file with the Revenue and Fiscal Affairs Office designated as document S‑77‑00-17 and on file with the Pickens County GIS Mapping Department. ~~A current at‑large member holding Seat 7, 8, or 9 shall continue to serve until his term is ended or he vacates the at‑large seat for whatever reason, whichever occurs first. Upon the end of the term or the earlier vacation of the at‑large seat, that at‑large seat no longer exists.~~ This map must be used for the 2018 general election and to fill any vacancies that occur following the 2018 general election. Beginning with the 2022 general election, the seven single‑member districts must conform to the latest United States Decennial Census and be approved by statewide legislation amending this section in order to become effective. Only those electors residing in the particular district are eligible to vote for ~~each of~~ the ~~six single‑member trustees representing~~ trustee who will represent the district. ~~The~~ On the effective date of these provisions, the current trustees ~~from the single‑member districts~~ shall continue to serve until their four‑year terms expire and until their successors are elected and qualify. In the 2018 general election, trustees will be elected for single-member Districts 2, 4, 6, and 7. Each trustee residing in single-member Districts 1, 3, and 5 shall continue to serve as the trustee for the single-member district in which he resides until his term ends in 2020 and his successor is elected and qualifies or until his office is vacated, whichever occurs first.

The electors of the Dellwood Subdivision of the City of Clemson, Anderson County, as shown in Plat Book 1920, page 150‑A, Plat Book 12, page 266, and Plat Book 14, page 31, filed in the office of the Clerk of Court of Pickens County, shall be eligible to vote in the election of the member of the board of trustees for the nearest contiguous single‑member school district and shall be eligible to serve on the board for that district.

All members of the board of trustees must be elected in a nonpartisan election at the time of the general election in the year in which their terms expire.

Upon the termination of the term of each single‑member district trustee, his successor must be a qualified elector of the same district and must be elected in a nonpartisan election to be held at the same time as the general election preceding the expiration date by the qualified electors of the district for a term of four years and until his successor is elected and qualifies. If a single‑member district seat is vacated before the end of ~~its~~ the term, the seat must be filled for the remainder of the term by ~~way of~~ special election conducted in the same manner. The board of trustees shall elect a chairman and such other officers as it considers necessary.

Section 2. ~~If any of the five current trustees who reside in any particular area of the county but are elected at large shall offer for any of the seats created pursuant to Section 1 of this act, their seat shall be abolished. At the expiration of the term of one of the present at large seats, such seat shall be abolished.~~ Any action by the board of trustees to close any school in the school district requires consideration at three separate board meetings held on three separate days with a minimum of six days between each meeting. During at least one of the three meetings, the board of trustees must allow public testimony, and at least one of the three meetings must be held at the school to be closed or in a location within one mile of the school to be closed.

Section 3. ~~The current Pickens County Board of Trustees shall serve the remainder Of the term for which each member was elected. None of the current area trustee seats shall be filled in case of a vacancy and shall be abolished at the end of the current term of office.~~(A) Within sixty days after the vote by the board of trustees to close any school in the school district, a petition signed by the qualified electors of the school district equal in number to at least fifteen percent of the registered voters at the last preceding regular election for the board of trustees may be filed with the board of trustees requesting that any such vote be reversed.

(B) If the board of trustees fails to reverse the vote, the adoption or repeal of the vote must be submitted to the electors not less than thirty days nor more than one year from the date the board takes its final vote thereon. The board may, in its discretion, and if no regular election is to be held within such period, provide for a special election.”

SECTION 2. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this chapter, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 3. This act shall take effect upon approval by the Governor and shall be applicable (1) for the 2018 general election of Board of Trustees members, and (2) to school closure actions taken after the effective date of this act.

/s/Sen. Thomas C. Alexander /s/Rep. David R. Hiott

/s/Sen. Mike Fanning /s/Rep. Gary E. Clary

/s/Sen. Rex F. Rice /s/Rep. Neal A. Collins

On Part of the Senate. On Part of the House.

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