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INTRODUCED

April 4, 2017

**H. 4067**

Introduced by Rep. Kirby

L. Printed 4/4/17--S.

Read the first time April 4, 2017.

**A** **BILL**

TO AMEND ACT 84 OF 2011, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF FLORENCE COUNTY SCHOOL DISTRICT NUMBER THREE, SO AS TO EXTEND THE TERMS OF THE MEMBERS OF THE BOARD OF TRUSTEES OF FLORENCE COUNTY SCHOOL DISTRICT NUMBER THREE TO FOUR YEARS, TO STAGGER THE TERMS OF THE MEMBERS, TO REQUIRE THAT THE MEMBERS BE ELECTED AT A GENERAL ELECTION HELD IN AN EVEN‑NUMBERED YEAR, AND TO PROVIDE THE PROCESS BY WHICH A VACANCY IS FILLED.

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

SECTION 1. Section 1 of Act 84 of 2011 is amended to read:

“SECTION 1. (A) The members of the Board of Trustees of Florence County School District Number Three shall consist of nine members to be elected as follows:

(1) five members to be elected from five single‑member districts with one member being elected from each single‑member district; and

(2) four members elected from two multimember districts with two members elected from each multimember district.

(B) A candidate for a seat on the board of trustees offering for a single‑member district seat must be a resident and qualified elector of the single‑member district. A candidate for a seat on the board of trustees from a multimember district must be a resident and qualified elector of the multimember district.

(C)(1) Subject to item (2), members of the Board of Trustees of Florence County School District Number Three (board) shall be elected for terms of ~~three~~ four years which shall commence on January first of the year following election and continue until their successors are elected and qualify.

(2)(a) The term of any member serving on the board on January 1, 2017, who represents election district numbers 1, 2, 3, 4 B, 6, or 7 B shall expire after December 31, 2018.

(b) Notwithstanding subsection (D), there must be an election in 2017 on the first Tuesday after the first Monday in November. Members elected at the 2017 election are elected for an initial term of three years which shall commence on January first of the year following the election and continue until their successors are elected and qualify. At the expiration of these initial terms, members elected to represent these same three districts are elected for terms of four years which shall commence on January first of the year following the election and continue until their successors are elected and qualify.

(c) In order to stagger the terms of the board, the term of the five members elected at the 2018 general election who receive the highest number of votes, shall serve an initial term of four years and the member receiving the next highest number of votes, shall serve an initial term of two years. At the expiration of these initial terms, members elected to represent these same districts are elected for terms of four years which shall commence on January first of the year following the election and continue until their successors are elected and qualify.

(D) Members of the board must be elected at a general election held in an even‑numbered year on the first Tuesday after the first Monday in November in the year of the expiration of their respective terms. A person eighteen years of age or older may become a candidate for a seat on the school district board of trustees by filing a notice of candidacy for office with the county election commission in accordance with the provisions of this act. Filing for the election must open at noon ~~seventy‑five days~~ on the August first immediately before the election and close at noon ~~sixty days~~ on the August fifteenth immediately before the election. If the opening or closing day of the filing period falls on a weekend or legal holiday, the filing period begins or ends, respectively, on the next day which is not a weekend or legal holiday at the originally designated hour. The conduct of the election, including the publication of all notices, production of ballots, the design and content of necessary forms, and the receipt of all filings shall be the responsibility of the Florence County Election and Voter Registration Commission and the expenses must be paid for by Florence County School District Number Three. A notice of the election must be published in a newspaper of general circulation in the school district at least twice~~, thirty days~~ before the opening date set for filing a notice of candidacy for election and also must be published on the website operated by Florence County School District Number Three for a period of at least forty‑five days prior to the opening date set for filing a notice of candidacy for the election. The notices must state the purpose of the election, the method and time period for filing, the location of the office where the filing is made, the date of the election, and the voting places for the election.

The Commissioners of Election shall conduct the election at the regular Florence County polling places located within the district. The election must be conducted as nearly as practicable in accordance with the general law regulating elections in this State. The Commissioners of Election shall rule on any irregularity in the election.

(E)(1) If a vacancy occurs in the membership of the board more than one hundred eighty days from the general election, then the remaining board must appoint a successor. The appointed successor shall serve until a new member is elected at the general election who shall fill the unexpired portion of the term.

(2) Any vacancy occurring in the membership of the board less than one hundred eighty days from the general election, shall remain vacant until a new member is elected at the general election, pursuant to subsection (D), for the unexpired portion of the term.

(3) For purposes of this subsection, for vacancies occurring before the 2017 election, ‘general election’ means the election set forth in subsection (C)(2)(b). For vacancies occurring after the 2017 election, ‘general election’ means the next general election set forth in subsection (D).”

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

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