**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑25‑47 SO AS TO PROVIDE CERTAIN PUBLIC SCHOOL FACULTY MEMBERS ANNUALLY MAY RECEIVE PAYMENTS FOR UNUSED ANNUAL LEAVE AND SICK LEAVE IN EXCESS OF NINETY DAYS AT AN ESTABLISHED RATE OF SUBSTITUTE PAY FOR THEIR JOB CLASSIFICATION, TO PROVIDE THESE PAYMENTS ARE AVAILABLE TO TEACHERS IN PUBLIC SCHOOL DISTRICTS AND CHARTER SCHOOLS, AND TO PROVIDE THESE PROVISIONS DO NOT AMEND OR REPEAL EXISTING PROGRAMS THAT MAKE SIMILAR PAYMENTS BUT AT LOWER RATES, OR RELATED RIGHTS OF SCHOOL DISTRICTS OR LEGISLATIVE DELEGATIONS.

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

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

“Section 59‑25‑47. (A) 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, are 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 established rate of substitute pay for their individual job classification, subject to local school board approval.

(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 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 that are more restrictive than any incentives provided in subsection (A).”

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

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