**South Carolina General Assembly**

124th Session, 2021-2022

**A138, R150, S203**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Hembree, Gustafson and Bennett

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Introduced in the Senate on January 12, 2021

Introduced in the House on February 24, 2021

Last Amended on April 19, 2022

Passed by the General Assembly on April 19, 2022

Governor's Action: April 25, 2022, Signed

Summary: School district trustees, removal and vacancy filling

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 Senate Prefiled

12/9/2020 Senate Referred to Committee on **Education**

1/12/2021 Senate Introduced and read first time ([Senate Journal‑page 215](file:///h:\sj\20210112.docx))

1/12/2021 Senate Referred to Committee on **Education** ([Senate Journal‑page 215](file:///h:\sj\20210112.docx))

2/11/2021 Senate Committee report: Favorable with amendment **Education** ([Senate Journal‑page 6](file:///h:\sj\20210211.docx))

2/18/2021 Senate Committee Amendment Adopted ([Senate Journal‑page 12](file:///h:\sj\20210218.docx))

2/18/2021 Senate Read second time ([Senate Journal‑page 12](file:///h:\sj\20210218.docx))

2/18/2021 Senate Roll call Ayes‑41 Nays‑0 ([Senate Journal‑page 12](file:///h:\sj\20210218.docx))

2/24/2021 Senate Read third time and sent to House ([Senate Journal‑page 8](file:///h:\sj\20210224.docx))

2/24/2021 House Introduced and read first time ([House Journal‑page 9](file:///h:\hj\20210224.docx))

2/24/2021 House Referred to Committee on **Education and Public Works** ([House Journal‑page 9](file:///h:\hj\20210224.docx))

1/20/2022 House Committee report: Favorable **Education and Public Works** ([House Journal‑page 22](file:///h:\hj\20220120.docx))

1/26/2022 House Requests for debate‑Rep(s).  Rutherford, McKnight, Cobb‑Hunter, King, McDaniel, Gilliard, Caskey, Anderson, Henderson‑Myers, Brawley, Govan, Henegan, JL Johnson, Garvin, Tedder, Thigpen, S Wiliiams, Wetmore, Dillard, Jefferson, R Williams, Wheeler, KO Johnson ([House Journal‑page 18](file:///h:\hj\20220126.docx))

1/27/2022 House Amended ([House Journal‑page 13](file:///h:\hj\20220127.docx))

1/27/2022 House Read second time ([House Journal‑page 13](file:///h:\hj\20220127.docx))

1/27/2022 House Roll call Yeas‑71 Nays‑36 ([House Journal‑page 16](file:///h:\hj\20220127.docx))

2/1/2022 House Read third time and returned to Senate with amendments ([House Journal‑page 21](file:///h:\hj\20220201.docx))

2/15/2022 Senate Non‑concurrence in House amendment ([Senate Journal‑page 28](file:///h:\sj\20220215.docx))

2/15/2022 Senate Roll call Ayes‑0 Nays‑38 ([Senate Journal‑page 28](file:///h:\sj\20220215.docx))

2/16/2022 House Conference committee appointed Felder, Brittain, Alexander ([House Journal‑page 34](file:///h:\hj\20220216.docx))

2/17/2022 Senate Conference committee appointed Hembree, Bennett.  B Matthews ([Senate Journal‑page 11](file:///h:\sj\20220217.docx))

4/6/2022 Senate Conference report received and adopted ([Senate Journal‑page 105](file:///h:\sj\20220406.docx))

4/6/2022 Senate Roll call Ayes‑41 Nays‑0 ([Senate Journal‑page 107](file:///h:\sj\20220406.docx))

4/19/2022 House Conference report received and adopted ([House Journal‑page 215](file:///h:\hj\20220419.docx))

4/19/2022 House Roll call Yeas‑92 Nays‑8 ([House Journal‑page 216](file:///h:\hj\20220419.docx))

4/20/2022 Senate Ordered enrolled for ratification ([Senate Journal‑page 18](file:///h:\sj\20220420.docx))

4/21/2022 Ratified R 150

4/25/2022 Signed By Governor

4/29/2022 Effective date 04/25/22

4/29/2022 Act No.  138

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**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\203_20201209.docx)

[2/11/2021](file:///p:\pprever\2021-22\203_20210211.docx)

[2/18/2021](file:///p:\pprever\2021-22\203_20210218.docx)

[1/20/2022](file:///p:\pprever\2021-22\203_20220120.docx)

[1/27/2022](file:///p:\pprever\2021-22\203_20220127.docx)

[4/19/2022](file:///p:\pprever\2021-22\203_20220419.docx)

(A138, R150, S203)

**AN ACT TO AMEND SECTION 59‑19‑60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES AND FILLING OF TRUSTEE VACANCIES, SO AS TO PROVIDE THE GOVERNOR MAY REMOVE TRUSTEES IN CERTAIN CIRCUMSTANCES, TO PROVIDE THE GOVERNOR MAY FILL TRUSTEE VACANCIES, TO PROVIDE NOTICE AND HEARING REQUIREMENTS, AND TO DELETE EXISTING PROVISIONS CONCERNING TRUSTEE REMOVAL AND FILLING OF VACANCIES BY SCHOOL BOARDS.**

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

**Removal by Governor, vacancies**

SECTION 1. Section 59‑19‑60 of the 1976 Code is amended to read:

“Section 59‑19‑60. Notwithstanding any provision of law to the contrary, school district trustees who wilfully commit or engage in an act of malfeasance, misfeasance, chronic unexcused absenteeism, conflicts of interest, misconduct in office, or persistent neglect of duty in office, or are deemed medically incompetent or medically incapacitated, are subject to removal by the Governor upon any of the foregoing causes being made to appear to the satisfaction of the Governor. Before removing any such officer, the Governor shall inform him in writing of the specific charges brought against him and give him an opportunity on reasonable notice to be heard. Vacancies occurring in the membership of any board of trustees for any cause shall be filled for the unexpired term in the same manner as provided for full‑term appointments.”

**Time effective**

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

Ratified the 21st day of April, 2022.

Approved the 25th day of April, 2022.

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