**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑40‑237 SO AS TO PROVIDE THE STATE SUPERINTENDENT OF EDUCATION MAY DIRECT AUTHORIZERS OF CHARTER SCHOOLS TO WITHHOLD STATE FUNDING FROM CHARTER SCHOOLS THAT FAIL TO COMPLY WITH ANY PROVISIONS OF THE SOUTH CAROLINA CHARTER SCHOOLS ACT, AND TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL WITHHOLD ALL FUTURE REVENUES FROM CHARTER SCHOOL AUTHORIZERS WHO FAIL TO COMPLY WITH THESE WITHHOLDING DIRECTIVES.

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

SECTION 1. Chapter 40, Title 59 of the 1976 Code is amended by adding:

“Section 59‑40‑237. (A) If a charter school fails to meet any of the provisions of this chapter, the State Superintendent of Education may direct the authorizer of that charter school to withhold not less than ten percent but not more than fifty percent of state funding from that school, depending on the severity of the violation. The determination of exactly what amount to withhold is within the sole discretion of the State Superintendent of Education.

(B) The State Department of Education shall withhold all future revenues from an authorizer that fails to timely comply with a directive by the State Superintendent of Education to withhold funds from a charter school made pursuant to subsection (A). If an authorizer whose funds have been suspended by the department subsequently fully complies with the directive, the department may resume the provision of funding to the authorizer.

(C) The provisions of this section apply notwithstanding another provision of law.”

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

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