**A** **BILL**

TO AMEND SECTION 3(B)(5) OF ACT 280 OF 2018, RELATING TO THE ORANGEBURG COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES’ DUTY TO ADOPT ATTENDANCE ZONES, TO PROVIDE THAT THE BOARD’S DUTY TO ADOPT ATTENDANCE ZONES AND RELATED PROVISIONS SHALL NOT APPLY IF THE BOARD DETERMINES THAT A BUILDING OR STRUCTURE IS AN IMMINENT THREAT TO THE HEALTH OR SAFETY OF STUDENTS OR STAFF, THE NEEDED UPGRADES AND REPAIRS TO MAINTAIN A BUILDING OR STRUCTURE ARE ECONOMICALLY UNFEASIBLE, OR A BUILDING OR STRUCTURE IS UNDERUTILIZED AND THE USE OF ANOTHER BUILDING OR STRUCTURE IS FEASIBLE.

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

SECTION 1. SECTION 3(B)(5) of Act 280 of 2018 is amended to read:

“(5) adopt attendance zones of schools within the school district except that, through school year 2021‑2022, existing attendance zones cannot be changed unless the federal court order regarding attendance zones is rescinded or amended during this period. However, no elementary, middle, or high school may be closed until three public hearings are held at least two weeks apart within the affected attendance area, with information to include, among other things, a delineation of the cost factors involved in keeping the school open and transporting the students to another school. In addition to the public hearings requirement, if a school in an attendance area that existed before consolidation is to be closed and the students of that school moved to a school in another attendance area, the qualified electors within the attendance area where the school is to be closed also first must approve the closing by referendum. This referendum may not be held at the same time as a school bond referendum. A school building that is the responsibility of the board of trustees of the school district must be maintained in conformity with all applicable building code standards and requirements to protect and ensure the health, safety, and welfare of students, faculty, administrators, and the general public. The provisions of this item do not apply if the board determines that:

(a) a school building or structure is an imminent threat to the health or safety of students or staff;

(b) the needed upgrades and repairs to maintain a school building or structure are economically unfeasible; or

(c) a school building or structure is underutilized and the use of another school building or structure is feasible;”

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

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