~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

May 5, 2021

**S. 729**

Introduced by Senators Gustafson and McElveen

S. Printed 5/5/21--H.

Read the first time April 13, 2021.

**THE KERSHAW DELEGATION**

To whom was referred a Bill (S. 729) to amend Sections 1 and 2 of Act 725 of 1969, relating to Kershaw Health, to provide for the composition of the Kershaw Health Board of Directors, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

WILL WHEELER for the Delegation.

**A** **BILL**

TO AMEND SECTIONS 1 AND 2 OF ACT 725 OF 1969, RELATING TO KERSHAW HEALTH, TO PROVIDE FOR THE COMPOSITION OF THE KERSHAW HEALTH BOARD OF DIRECTORS, THE MANNER OF NOMINATION AND APPOINTMENT TO THE BOARD, AND THE TERMS OF BOARD MEMBERS, AND TO REVISE THE PURPOSE AND SCOPE OF THE BOARD’S POWERS AND DUTIES; TO AMEND SECTION 3 OF ACT 868 OF 1954, RELATING TO THE BOARD’S POWERS AND DUTIES, TO MAKE CONFORMING CHANGES; AND TO PROVIDE FOR THE APPOINTMENT OF A NEW BOARD OF DIRECTORS, AND TO STAGGER THE TERMS OF THE NEW BOARD OF DIRECTORS.

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

SECTION 1. SECTIONS 1 and 2 of Act 725 of 1969 are amended to read:

“SECTION 1. There is hereby created the Health Services District of Kershaw County ~~Hospital~~, which shall be governed by a Board of Directors which shall be comprised of nine members, all of whom must be residents of Kershaw County ~~selected in the manner provided for in Section 2 of this act and the board shall become effective July 1, 1969~~.

SECTION 2. ~~All members of the board, as initially comprised, and all successors in office thereto, shall be appointed by the County Council of Kershaw County. Of the initial appointees, three shall hold office for a period of two years, three shall hold office for a period of four years, and three shall hold office for a period of six years. Upon the expiration of the initial and subsequent terms of office, successors shall be appointed in the same manner for terms of six years and until their successors are appointed and qualify. The terms for individual members of the initial board shall be determined by lot after appointments are made. All appointees to the board shall be residents of Kershaw County with at least one member from each of the four townships. All vacancies, when filled by appointment, shall be upon the recommendation of a two-thirds majority of the remaining members. Appointments to fill vacancies occurring by reason of resignation, death or removal shall be for the unexpired term. No members shall succeed himself after serving a full-six year term.~~ (A)(1) Seven members of the board shall be nominated respectively by each of the seven members of the Kershaw County Council, and two members shall be nominated by any member of the Kershaw County Council.

(a) Seats one through six on the board shall correspond with the district number of the nominating county council member. (b) Seat seven shall be the board member nominated by the Chairman of the Kershaw County Council.

(c) Seats eight and nine shall be the board members nominated by any member of the Kershaw County Council.

(2) Nominees shall be appointed to the board upon a majority vote of the county council in favor of the nomination.

(B) If a vacancy on the board exists because a board member’s term has expired and a new board member has not been nominated by the appropriate county council member within ninety days, then the nomination of a new board member may be made by any member of the county council. The nominee shall be appointed to the board upon a majority vote of the county council in favor of the nomination.

(C) Board members shall be appointed to six-year terms that begin on July first of the appropriate year. At the expiration of a member’s term, his seat is vacant, and the member may not serve in a holdover capacity. A board member may not succeed himself after serving a full six-year term. However, a former board member may be reappointed to the board one year after the completion of his prior service on the board.

(D) No county council district shall be represented on the board by more than three resident board members.

(E) Vacancies on the board shall be filled in the manner provided in this section for the unexpired term only.”

SECTION 2. The first undesignated paragraph of SECTION 3 of Act 868 of 1954 is amended to read:

“SECTION 3. ~~Said Board~~ The Health Services District of Kershaw County shall be a body corporate of perpetual succession. The Health Services District shall provide medical care and medical services to the residents of Kershaw County. It is authorized and empowered to do all matters necessary or convenient for the construction, establishment, ~~and~~ maintenance, and continued existence of a ~~public~~ local hospital for the benefit of the residents of Kershaw County; operation of the Karesh Wing; and administration of grants within the county to promote access to health care and healthy living.~~, including, but without limiting the generality of the foregoing, is~~ In order to fulfill its mission, the Health Services District shall have the following powers, without limitation:”

SECTION 3. (A) Each seat on the Kershaw County Hospital Board of Directors is declared vacant on June 30, 2021. The Kershaw County Council shall nominate and appoint new members to the board as provided in this act. Newly appointed members shall take office July 1, 2021.

(B) Notwithstanding the provisions contained in SECTION 2 of Act 725 of 1969, as amended by this act, board members appointed to take office July 1, 2021, from:

(1) seats 1, 3, and 8 shall initially serve for a term of two years;

(2) seats 2, 4, and 9 shall initially serve for a term of four years; and

(3) seats 5, 6, and 7 shall serve a full six-year term.

(C) Notwithstanding the provisions contained in SECTION 2 of Act 725 of 1969, as amended by this act, a member appointed to take office beginning on July 1, 2021, pursuant to (B)(1) or (2) is eligible for appointment to a full six-year term upon the expiration of his initial term.

SECTION 4. This act takes effect upon approval by the Governor.

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