**South Carolina General Assembly**

125th Session, 2023-2024

**S. 334**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Campsen

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Introduced in the Senate on January 10, 2023

Currently residing in the Senate Committee on **Education**

Summary: School Board Vacancies

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/10/2023 Senate Introduced and read first time (Senate Journal‑page 197)

 1/10/2023 Senate Referred to Committee on **Education** (Senate Journal‑page 197)

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**VERSIONS OF THIS BILL**

[01/10/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/334_20230110.docx)

A bill

to amend the South Carolina Code of Laws by adding Section 59‑19‑65 so as to REQUIRE VACANCIES ON A SCHOOL DISTRICT BOARD OF TRUSTEES TO BE FILLED IN THE SAME MANNER OF ORIGINAL APPOINTMENT OR BY A SPECIAL ELECTION; by amending Section 59‑19‑60, relating to the Removal of members of school district boards of trustees, so as to remove a DUPLICATIVE provision; and by amending Section 59‑19‑70, relating to the selection of a Chairman and clerk of a board of trustees, so as to require the selection of a chairman and clerk as soon as practicable after the election of a new trustee.

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

SECTION 1. Article 1, Chapter 19, Title 59 of the S.C. Code is amended by adding:

 Section 59‑19‑65. A vacancy occurring in the membership of a board of trustees for any cause must be filled for the unexpired term:

 (A) in the same manner of original appointment if the membership of the board of trustees is appointed; or

 (B) by a special election held in accordance with Section 7‑13‑190 if the membership of the board of trustees is elected.

SECTION 2. Section 59‑19‑60 of the S.C. 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.

SECTION 3. Section 59‑19‑70 of the S.C. Code is amended to read:

 Section 59‑19‑70. The trustees shall, as soon as practicable after the election or appointment of any new trustee, organize by the election of one of their members as chairman and another as clerk of the board. The chairman shall preside at meetings of the board and perform other duties imposed on him under the law, and the clerk shall keep a record of the proceedings of all meetings in a book provided for that purpose and perform all other duties required of him by law.

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

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