**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3445**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Reps. Lucas, McGarry, Fry, Taylor, B. Newton, Burns, Haddon, Long, Pope, Forrest, B. Cox, Elliott and Caskey

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Introduced in the House on January 12, 2021

Currently residing in the House Committee on **Judiciary**

Summary: Constitutional amendment

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/16/2020 House Prefiled

12/16/2020 House Referred to Committee on **Judiciary**

1/12/2021 House Introduced and read first time ([House Journal‑page 194](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 194](file:///h:\hj\20210112.docx))

1/13/2021 House Member(s) request name added as sponsor: B.Cox, Elliott, Caskey

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**VERSIONS OF THIS BILL**

[12/16/2020](file:///p:\pprever\2021-22\3445_20201216.docx)

**A** **JOINT RESOLUTION**

PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, AS AMENDED, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SUPERINTENDENT OF EDUCATION FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SUPERINTENDENT OF EDUCATION MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE SUPERINTENDENT OF EDUCATION SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS AMENDMENT, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE SUPERINTENDENT OF EDUCATION MAY BE REMOVED FROM OFFICE.

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

SECTION 1. It is proposed that Section 7, Article VI of the Constitution of this State, as last amended by Act 1 of 2015, is further amended by adding the following new paragraph at the end:

“Beginning upon the expiration of the term of the Superintendent of Education serving in office on January 12, 2023, and after the ratification of the provisions of this paragraph, the Superintendent of Education must be appointed by the Governor, upon the advice and consent of the Senate. The appointed Superintendent of Education shall serve at the pleasure of the Governor. The General Assembly shall provide by law for the duties, compensation, and qualifications for the office, and the procedures by which the appointment is made.”

SECTION 2. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Section 7, Article VI of the Constitution of this State, relating to state constitutional officers, be amended so as to provide that upon the expiration of the term of the Superintendent of Education serving in office on January 12, 2023, and after the date of the ratification of this amendment, the Superintendent of Education must be appointed by the Governor, upon the advice and consent of the Senate; to provide that the appointed Superintendent of Education shall serve at the pleasure of the Governor; and to require the General Assembly to provide by law for the duties, compensation, and qualifications for the office, and the procedures by which the appointment is made?

Yes 

No 

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

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