**South Carolina General Assembly**

118th Session, 2009-2010

**A17, R38, H3627**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Miller and Anderson

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Introduced in the House on February 26, 2009

Introduced in the Senate on March 4, 2009

Last Amended on April 1, 2009

Passed by the General Assembly on April 22, 2009

Governor's Action: May 6, 2009, Vetoed

Legislative veto action(s): Veto overridden

Summary: Boats

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/26/2009 House Introduced, read first time, placed on calendar without reference [HJ](file:///h:\HJ%20Archive\2009\02-26-09.docx)‑108

2/27/2009 Scrivener's error corrected

3/3/2009 House Read second time [HJ](file:///h:\HJ%20Archive\2009\03-03-09.docx)‑16

3/4/2009 House Read third time and sent to Senate [HJ](file:///h:\HJ%20Archive\2009\03-04-09.docx)‑82

3/4/2009 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2009\03-04-09.docx)‑15

3/4/2009 Senate Referred to Committee on **Education** [SJ](file:///h:\SJ%20Archive\2009\03-04-09.docx)‑15

3/5/2009 Senate Recalled from Committee on **Education** [SJ](file:///h:\SJ%20Archive\2009\03-05-09.docx)‑2

3/17/2009 Senate Recommitted to Committee on **Education** [SJ](file:///h:\SJ%20Archive\2009\03-17-09.docx)‑23

3/31/2009 Senate Recalled from Committee on **Education** [SJ](file:///h:\SJ%20Archive\2009\03-31-09.docx)‑31

4/1/2009 Senate Amended [SJ](file:///h:\SJ%20Archive\2009\04-01-09.docx)‑26

4/1/2009 Senate Read second time [SJ](file:///h:\SJ%20Archive\2009\04-01-09.docx)‑26

4/2/2009 Senate Read third time and returned to House with amendments [SJ](file:///h:\SJ%20Archive\2009\04-02-09.docx)‑10

4/2/2009 Scrivener's error corrected

4/22/2009 House Concurred in Senate amendment and enrolled [HJ](file:///h:\HJ%20Archive\2009\04-22-09.docx)‑47

4/22/2009 House Roll call Yeas‑97 Nays‑0 [HJ](file:///h:\HJ%20Archive\2009\04-22-09.docx)‑47

4/30/2009 Ratified R 38

5/6/2009 Vetoed by Governor

5/13/2009 House Veto overridden by originating body Yeas‑98 Nays‑0 [HJ](file:///h:\HJ%20Archive\2009\05-13-09.docx)‑35

5/14/2009 Senate Veto overridden Yeas‑45 Nays‑0

5/20/2009 Effective date 05/14/09

6/1/2009 Act No. 17

**VERSIONS OF THIS BILL**

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[2/26/2009-A](file:///p:\pprever\2009-10\3627_20090226A.docx)

[2/27/2009](file:///p:\pprever\2009-10\3627_20090227.docx)

[3/5/2009](file:///p:\pprever\2009-10\3627_20090305.docx)

[3/31/2009](file:///p:\pprever\2009-10\3627_20090331.docx)

[4/1/2009](file:///p:\pprever\2009-10\3627_20090401.docx)

[4/2/2009](file:///p:\pprever\2009-10\3627_20090402.docx)

(A17, R38, H3627)

**AN ACT TO AMEND SECTION 59‑67‑535, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE USE OF BOATS OPERATED BY THE STATE DEPARTMENT OF EDUCATION FOR THE TRANSPORTATION OF SCHOOL CHILDREN FROM ISLANDS TO MAINLAND SCHOOLS BY CERTAIN OTHER PERSONS, SO AS TO FURTHER PROVIDE FOR THE OPERATION OF THESE BOATS BY THE DEPARTMENT ON SANDY ISLAND, FOR USE OF THESE BOATS BY SPECIFIED PERSONS, AND THE PROCEDURES APPLICABLE FOR USE.**

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

**Operation of boats by department**

SECTION 1. Section 59‑67‑535 of the 1976 Code is amended to read:

“Section 59‑67‑535. Boats operated by the State Department of Education for transportation of school children from Sandy Island to mainland schools also may be used to transport, on a space available basis only, any Sandy Island resident. A person requesting boat transportation shall present his residence verification to the employee or representative of the State Department of Education who is in charge of the particular boat.

The term ‘resident’ as used herein means a person with an official residential address on Sandy Island.

Use of these boats by residents shall be only on a space available basis and only at such time as the boat is being otherwise operated on official business. School children in every case shall be given priority of carriage. Provided, that other trips on the Sandy Island boat may be approved by the county school district, in which case the operations, logistics, and all costs shall be borne by the school district to the extent that funds are available. The school district may contract with a third party to operate the ferry and manage the logistics associated with the other trips. Persons who are not residents of Sandy Island may be allowed to be transported by the boat when accompanied by a resident.

Any person authorized for transportation pursuant to the provisions of this section shall, prior to boarding, execute a ‘covenant not to sue’ the State of South Carolina or any agency thereof, on a form approved by the State Department of Education.

Nothing in this section shall be construed as a waiver of the state’s general immunity from liability and suit.”

**Time effective**

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

Ratified the 30th day of April, 2009.

Vetoed by the Governor -- 5/6/09.

Veto overridden by House -- 5/13/09.

Veto overridden by Senate -- 5/14/09.

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