**South Carolina General Assembly**

118th Session, 2009-2010

**H. 4385**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Thompson, Simrill, Spires, Frye, Bingham, Merrill, G.M. Smith, Kirsh and Hiott

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Introduced in the House on January 20, 2010

Currently residing in the House Committee on **Education and Public Works**

Summary: USC

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/20/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\01-20-10.docx)‑34

1/20/2010 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2010\01-20-10.docx)‑34

1/21/2010 House Member(s) request name added as sponsor: Simrill, Hiott, Spires, Frye, Bingham, Merrill, G.M.Smith, Kirsh

1/21/2010 House Recalled from Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2010\01-21-10.docx)‑30

1/21/2010 House Referred to Committee on **Education and Public Works** [HJ](file:///h:\HJ%20Archive\2010\01-21-10.docx)‑30

**VERSIONS OF THIS BILL**

[1/20/2010](file:///p:\pprever\2009-10\4385_20100120.docx)

**A** **BILL**

TO AMEND SECTION 59‑117‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPOSITION OF THE BOARD OF TRUSTEES OF THE UNIVERSITY OF SOUTH CAROLINA, SO AS TO REVISE THE MEMBERSHIP OF THE BOARD AND THE MANNER OF MEMBER SELECTION; AND TO AMEND SECTION 59‑117‑20, RELATING TO MEMBER TERMS, SO AS TO REVISE TERMS OF BOARD MEMBERS.

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

SECTION 1. Section 59‑117‑10 of the 1976 Code is amended to read:

“Section 59‑117‑10. The board of trustees of the University of South Carolina ~~shall be~~ is composed of ~~the Governor of the State (or his designee), the State Superintendent of Education, and the President of the Greater University of South Carolina Alumni Association, which three shall be members ex officio of the board; and seventeen other members including one member from each of the sixteen judicial circuits to be elected by the general vote of the General Assembly as hereinafter provided, and one at‑large member appointed by the Governor. The Governor shall make the appointment based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the board is representative of all citizens of the State of South Carolina.~~ ten total members, including:

(1) the State Superintendent of Education, who shall serve ex officio;

(2) a member appointed by the Governor. The Governor shall make the appointment based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the board is representative of all citizens of the State of South Carolina;

(3) six members elected one per Congressional district of the State by the General Assembly; and

(4) two at‑large members elected by the General Assembly.”

SECTION 2. Section 59‑117‑20 of the 1976 Code is amended to read:

“Section 59‑117‑20. ~~The regular term of office of each trustee elected by the General Assembly is four years; however, the trustee shall continue to function as a trustee after his term has expired until his successor is elected and qualifies. Trustees from the first, third, fifth, seventh, ninth, eleventh, twelfth, and thirteenth judicial circuits whose terms expire March 31, 1982, must next be elected for terms commencing on April 1, 1982, and those terms expire on June 30, 1986. Trustees from the second, fourth, sixth, eighth, tenth, fourteenth, fifteenth, and sixteenth judicial circuits elected for terms to commence April 1, 1984, shall have their terms extended to June 30, 1988, and must next be elected for terms commencing on July 1, 1988. Thereafter, the General Assembly shall hold elections every two years for the purpose of selecting successors of those trustees whose terms are then expiring. The term of office of an elective trustee commences on the first day of July of the year in which the trustee under this plan is scheduled to be elected and the term continues until the thirtieth day of June of the year in which the term is scheduled to expire. After its 1984 session, the General Assembly shall elect successors to those elective trustees whose terms are expiring not earlier than the first day of April of the year the term expires. In electing members of the board, the General Assembly shall elect members based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the board is representative of all citizens of the State of South Carolina.~~

~~The term of office of the at‑large trustee appointed by the Governor is effective upon certification to the Secretary of State and is four years. If the Governor, chooses to designate a member to serve in his stead as permitted by Section 59‑117‑10, the appointment is effective upon certification to the Secretary of State and shall continue, at the pleasure of the Governor making the appointment, so long as he continues to hold the specified office.~~

~~The term of the President of the Greater University of South Carolina Alumni Association is for the active term of office as president.~~ (A) The terms of the present members of the board serving in office on the effective date of this section expire on July 1, 2010, at which time their successors selected in the manner provided in Section 59‑117‑10 shall take office. Of the eight members of the board elected by the General Assembly, one must be a resident of and elected from each congressional district of the State and two must be elected at large. Members shall serve for terms of four years and until their successors are elected and qualify; provided that of the eight members elected in 2010, the members elected from congressional districts 1, 3, 5, and 6 shall serve initial terms of two years each. Thereafter, all members shall serve four year terms. Vacancies must be filled for the remainder of the unexpired term in the manner of original selection.

(B) Except as provided in subsection (A) and except for the 2010 elections, terms of the members of the board who are elected by the General Assembly expire on the thirtieth day of June of the year in which the terms are scheduled to expire. The General Assembly shall elect successors of the elective trustees not earlier than the first of April for a term to begin the following July first.”

SECTION 3. This act takes effect upon approval by the Governor.

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