AS PASSED BY THE SENATE

February 26, 2009

**S. 473**

Introduced by Senator Leventis

L. Printed 2/26/09--S.

Read the first time February 24, 2009.

**A** **BILL**

TO AMEND ACT 387 OF 2008, RELATING TO THE SUMTER COUNTY CONSOLIDATED SCHOOL DISTRICT, SO AS TO PROVIDE THAT A MEMBER OF THE SUMTER CONSOLIDATION TRANSITION COMMITTEE WHO HAS BEEN DISMISSED, SUSPENDED FROM HIS POSITION, OR DEMOTED, OR RECEIVES ANY DIRECT OR INDIRECT THREATS IN CONNECTION WITH HIS DECISIONS OR ACTIONS ON BEHALF OF THE COMMITTEE MAY INSTITUTE A NONJURY CIVIL ACTION AGAINST SUMTER SCHOOL DISTRICT 2 OR SUMTER SCHOOL DISTRICT 17 OR THEIR SUCCESSORS FOR CERTAIN DAMAGES.

Amend Title To Conform

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

SECTION 1. Section 8 of Act 387 of 2008 is amended by adding an appropriately designated subsection at the end to read:

“( ) If a member of the Sumter Consolidation Transition Committee is dismissed, suspended from his position, demoted or forced to accept a change in the terms and conditions of his current employment, or if he receives any threats, direct or indirect, in connection with his decisions or actions on behalf of the committee, the member may institute a nonjury civil action against Sumter School District 2 or Sumter School District 17 or their successors for:

(1) reinstatement to his former position;

(2) lost wages from positions of employment other than his service as a member of the Sumter Consolidation Transition Committee;

(3) actual damages;

(4) treble damages;

(5) reasonable attorney fees as determined by the court; and

(6) injunctive relief from a change in the terms and conditions of his employment.

This cause of action exists for any such retaliatory action that takes place during a member’s employment or term of service with Sumter School District 2 or 17. The action must be brought in the court of common pleas of Sumter County.”

SECTION 2. This act takes effect upon approval by the Governor and applies to any action taken during a member’s term of service on the committee.

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