**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4610**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Merrill, Bingham, Quinn, Sellers, Clemmons, Herbkersman, G.R. Smith, Atwater, Erickson, Skelton, Daning, Crosby, Bedingfield, Southard, J.R. Smith, Crawford, Patrick, Ryan, Huggins, Limehouse, Bannister, Barfield, Battle, Edge, Harrison, Henderson, Hixon, Lowe, Nanney, Simrill, G.M. Smith, Stavrinakis, Stringer, Taylor, Willis and Young

Document Path: l:\council\bills\dka\3849sd12.docx

Introduced in the House on January 17, 2012

Introduced in the Senate on May 2, 2012

Last Amended on April 26, 2012

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

Summary: School Bus Privatization Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/17/2012 House Introduced and read first time ([House Journal‑page 8](file:///h:\hj%20archive\2012\01-17-12.docx))

1/17/2012 House Referred to Committee on **Ways and Means** ([House Journal‑page 8](file:///h:\hj%20archive\2012\01-17-12.docx))

1/18/2012 House Member(s) request name added as sponsor: Young

4/19/2012 House Committee report: Favorable with amendment **Ways and Means** ([House Journal‑page 6](file:///h:\hj%20archive\2012\04-19-12.docx))

4/24/2012 Scrivener's error corrected

4/25/2012 House Member(s) request name removed as sponsor: Murphy

4/26/2012 House Member(s) request name removed as sponsor: Brannon, Horne

4/26/2012 House Requests for debate‑Rep(s). Merrill, Murphy, White, Stavrinakis, Sandifer, Whitmire, Bedingfield, Weeks, King, Williams, Knight, Bales, Herbkersman, Brantley, Ott, Brannon, Pitts, Willis, Spires, Frye, Munnerlyn ([House Journal‑page 56](file:///h:\hj%20archive\2012\04-26-12.docx))

4/26/2012 House Amended ([House Journal‑page 94](file:///h:\hj%20archive\2012\04-26-12.docx))

4/26/2012 House Read second time ([House Journal‑page 94](file:///h:\hj%20archive\2012\04-26-12.docx))

4/26/2012 House Roll call Yeas‑103 Nays‑2 ([House Journal‑page 106](file:///h:\hj%20archive\2012\04-26-12.docx))

4/27/2012 Scrivener's error corrected

5/1/2012 House Read third time and sent to Senate ([House Journal‑page 70](file:///h:\hj%20archive\2012\05-01-12.docx))

5/2/2012 Senate Introduced and read first time ([Senate Journal‑page 10](file:///h:\sj%20archive\2012\05-02-12.docx))

5/2/2012 Senate Referred to Committee on **Education** ([Senate Journal‑page 10](file:///h:\sj%20archive\2012\05-02-12.docx))

**VERSIONS OF THIS BILL**

[1/17/2012](file:///p:\pprever\2011-12\4610_20120117.docx)

[4/19/2012](file:///p:\pprever\2011-12\4610_20120419.docx)

[4/24/2012](file:///p:\pprever\2011-12\4610_20120424.docx)

[4/26/2012](file:///p:\pprever\2011-12\4610_20120426.docx)

[4/27/2012](file:///p:\pprever\2011-12\4610_20120427.docx)

~~Indicates Matter Stricken~~

Indicates New Matter

AMENDED

April 26, 2012

**H. 4610**

Introduced by Reps. Merrill, Bingham, Quinn, Sellers, Clemmons, Herbkersman, G.R. Smith, Atwater, Erickson, Skelton, Daning, Crosby, Bedingfield, Southard, J.R. Smith, Crawford, Patrick, Ryan, Huggins, Limehouse, Bannister, Barfield, Battle, Edge, Harrison, Henderson, Hixon, Lowe, Nanney, Simrill, G.M. Smith, Stavrinakis, Stringer, Taylor, Willis and Young

S. Printed 4/26/12--H. [SEC 4/27/12 2:03 PM]

Read the first time January 17, 2012.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

See Below

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

The Governor’s Office, Senate, and the House of Representatives

The Legislature and Governor’s Office indicates there will be an additional cost for the proposed bill. The committee will consist of 11 non-legislators. The cost per non-legislator per one-day meeting is $190. The total cost will be $2,090 per one-day meeting from approved accounts of the appointing authority.

South Carolina Department of Education (SCDE)

The SCDE indicates this bill will have no impact on agency expenditures.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 68 TO TITLE 59 SO AS TO ENACT THE “SOUTH CAROLINA SCHOOL BUS PRIVATIZATION ACT OF 2012”, INCLUDING PROVISIONS TO PROVIDE THAT THE STATE OF SOUTH CAROLINA SHALL NOT OWN, PURCHASE, OR ACQUIRE ADDITIONAL SCHOOL BUSES ON OR AFTER JULY 1, 2015, AND ITS PRESENT FLEET OF SCHOOL BUSES SOLD OR DISPOSED OF ON A PHASED‑IN BASIS BEGINNING IN 2012, TO PROVIDE THAT BEGINNING WITH THE 2012‑2013 SCHOOL YEAR, SCHOOL DISTRICTS ON A PHASED‑IN BASIS INDIVIDUALLY OR TOGETHER WITH OTHER DISTRICTS SHALL PROVIDE SCHOOL TRANSPORTATION SERVICES OR BY CONTRACT MAY ENGAGE A PRIVATE ENTITY TO PROVIDE SCHOOL TRANSPORTATION SERVICES WITH THE PRIVATE ENTITY PROVIDING ALL SCHOOL BUSES, PERSONNEL TO OPERATE, AND AUXILIARY SERVICES, AND TO PROVIDE FOR TERMS, CONDITIONS, PROCEDURES, AND REQUIREMENTS APPLICABLE TO THE PROVISION OF THESE SERVICES, TO PROVIDE THAT STATE SCHOOL BUS MAINTENANCE FACILITIES, ON A PHASED‑IN BASIS BEGINNING IN 2012, SHALL BE LEASED OR SOLD TO SCHOOL DISTRICTS OR PRIVATE SCHOOL TRANSPORTATION PROVIDERS OR IN THE ABSENCE OF A SALE OR LEASE CLOSED, TO ESTABLISH A “SCHOOL TRANSPORTATION REIMBURSEMENT FUND” CONSISTING OF SPECIFIED FUNDS WHICH MUST BE USED TO REIMBURSE SCHOOL DISTRICTS FOR THE COST OF SCHOOL TRANSPORTATION SERVICES ON A FORMULA BASIS, TO PROVIDE FOR THE LIABILITY INSURANCE REQUIREMENTS APPLICABLE TO PRIVATE ENTITIES PROVIDING SCHOOL TRANSPORTATION SERVICES AND FOR SCHOOL BUS, DRIVER, PASSENGER, AND EQUIPMENT REQUIREMENTS IN REGARD TO THESE SERVICES; TO AMEND SECTION 59‑67‑460, RELATING TO CONTRACTS BY SCHOOL DISTRICTS FOR TRANSPORTATION SERVICES WITH PRIVATE CONTRACTORS, SO AS TO PROVIDE THAT A SCHOOL DISTRICT OR A GROUP OF SCHOOL DISTRICTS IS AUTHORIZED BY CONTRACT TO HAVE THEIR SCHOOL TRANSPORTATION SERVICES PROVIDED BY A PRIVATE ENTITY WHICH FURNISHES ITS OWN BUSES, PERSONNEL, AND AUXILIARY SERVICES PRIOR TO THE REQUIRED IMPLEMENTATION DATE OF THE DISTRICT’S ASSUMPTION OF RESPONSIBILITY FOR ALL SCHOOL TRANSPORTATION SERVICES IN THE DISTRICT AS REQUIRED BY CHAPTER 68, TITLE 59; AND TO REPEAL SECTION 59‑67‑460 EFFECTIVE ON JULY 1, 2015, WHEN THE RESPONSIBILITY TO PROVIDE SCHOOL TRANSPORTATION SERVICES IS TRANSFERRED FULLY TO THE SCHOOL DISTRICTS OF THIS STATE.

Amend Title To Conform

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

SECTION 1. (A) A committee of eleven members is hereby created to study the decentralization of the provision of school transportation services in this State either by the public sector, private sector, or combination of both. The study of the committee shall include, but is not limited to, the most cost‑effective, efficient, and safe way to provide school transportation services to students in grades K‑12 utilizing to the best extent possible available state and local resources and funding. The committee shall consist of eleven members, four members to be appointed by the Speaker of the House of Representatives, one of whom must be a school finance officer, four members to be appointed by the President Pro Tempore of the Senate, one of whom must be a school finance officer, and three members to be appointed by the Governor. Vacancies shall be filled in the manner of original appointment. The members at their first meeting shall elect a chairman, vice‑chairman, and such other officers as they deem necessary. The committee shall meet upon the call of the chairman or a majority of its members.

(B) The members of the committee shall receive such mileage, subsistence, and per diem in the performance of their duties as is provided by law to members of state boards, commissions, and committees to be paid from the approved accounts of the member’s appointing authority. The staff of the House of Representatives, the Senate, and the Governor’s Office shall supply such assistance as may be needed by the committee in the performance of its duties. The committee shall render its report to each house of the General Assembly and the Governor no later than January 1, 2013, at which time the committee shall be abolished.

SECTION 2. Chapter 67, Title 59 of the 1976 Code is amended by adding:

“Section 59-67-25. A school district may not require or charge a fee to a parent or guardian of a child for access to school bus transportation to and from school.”

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

‑‑‑‑XX‑‑‑‑