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Indicates New Matter

RECALLED

March 29, 2012

**S. 1380**

Introduced by Senators Matthews, Courson, Setzler, Hayes, Scott, Williams, Nicholson, Anderson and Jackson

S. Printed 3/29/12--S.

Read the first time March 28, 2012.

**A** **BILL**

TO AMEND SECTION 59‑127‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY, SO AS TO REVISE THE NUMBER OF BOARD MEMBERS AND THE MANNER IN WHICH MEMBERS OF THE BOARD ARE ELECTED TO, AMONG OTHER PROVISIONS, ACCOUNT FOR THE NEW SEVENTH CONGRESSIONAL DISTRICT, AND TO REVISE VARIOUS OTHER PROVISIONS RELATING TO TERMS OF BOARD MEMBERS.

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

SECTION 1. Section 59-127-20 of the 1976 Code is amended to read:

“Section 59-127-20. (A) South Carolina State University is managed and controlled by a board of trustees, composed of ~~thirteen~~ eleven members, ~~twelve~~ ten ~~of whom are~~ elected by the General Assembly, one ~~member~~ from each congressional district and ~~six~~ three at large for terms of four years each and until their successors are elected and qualify. 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 Governor of the State or his designee is ex officio, the ~~thirteenth~~ eleventh member of the board of trustees. In case of a vacancy on the board, the Governor may fill it by appointment until the next session of the General Assembly. Members of the board are entitled to subsistence, per diem, and mileage authorized for members of state boards, committees, and commissions.

Each position on the board constitutes a separate office and the seats on the board are numbered consecutively, ~~one corresponding in number to each congressional district and Seats 7‑12 at large~~ Seats One through Seven corresponding to the number of each congressional district and Seats Eight through Ten to be designated at large. The Governor or his designee occupies Seat ~~13~~Eleven. ~~Of the three present members of the board who reside in the sixth congressional district, the member with the longest remaining current term shall be the resident member selected from that congressional district occupying Seat 6. The two remaining members not determined to be the resident member from the sixth congressional district shall be considered at‑large members of the board occupying Seats 8 and 12, respectively. The terms of each of these three members shall not be affected by the provisions of this paragraph.~~

Except as otherwise provided herein, the terms of the present 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 to the elective trustees not earlier than the first day of April for a term to begin the following July first. Elections to fill vacancies on the board which are caused by the death, resignation, or removal of an elective trustee may be held earlier than the first day of April of the year in which the unexpired term terminates, but the term of the person elected to fill the vacancy expires on the last day of June of the year in which the term of the former member would have expired.

(B) Beginning with members elected to the board during ~~1992, terms of members are four years. In 1993, members from Seats 1, 2, 3, 4, 5, and 11 must be elected, and the term of the member elected in 1993 from Seat 3 shall be one year, the terms of the members elected in 1993 from Seats 1, 2, and 4 shall be two years each, the term of the member elected in 1993 from Seat 11 shall be three years, and the term of the member elected in 1993 from Seat 5 shall be four years. Thereafter, successors to the members of the board elected in 1993 and successors to members of the board provided six‑year terms by the provisions of this subsection must be elected for terms of four years each~~ 2012 or otherwise serving on the board, the member from former Seat 1 is to remain in Seat 1 with a term to expire on June 30, 2012, the member from former Seat 2 is to remain in Seat 2 with a term that expires on June 30, 2015, the member from former Seat 3 is to remain in Seat 3 with a term to expire on June 30, 2014, the member from former Seat 4 is to remain in Seat 4 with a term to expire on June 30, 2012, the member from former Seat 5 is to remain in Seat 5 with a term to expire on June 30, 2013, the member from former Seat 7 is transferred to Seat 6 with a term to expire on June 30, 2014, the member from former Seat 8 is to remain in Seat 8 with a term to expire on June 30, 2013, the member from former Seat 9 is to remain in Seat 9 with a term to expire on June 30, 2014, the member from former Seat 11 is transferred to Seat 10 with a term to expire on June 30, 2012, and the member from former Seat 13 is transferred to Seat 11. Members for Seats 1, 4, 7, and 10 must be elected by the General Assembly before July 1, 2012 for terms that expire on June 30, 2016.”

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

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