**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 3343**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Toole, Ott, Spires and Forrest

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Introduced in the House on January 8, 2019

Currently residing in the House **Lexington Delegation**

Summary: Lexington County School District 1 Board of Trustees

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/18/2018 House Prefiled

12/18/2018 House Referred to **Lexington Delegation**

1/8/2019 House Introduced and read first time ([House Journal‑page 204](file:///h:\hj\20190108.docx))

1/8/2019 House Referred to Committee on Lexington Delegation ([House Journal‑page 204](file:///h:\hj\20190108.docx))

1/16/2019 House Member(s) request name added as sponsor: Forrest

2/6/2019 House Member(s) request name removed as sponsor: Wooten

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**VERSIONS OF THIS BILL**

[12/18/2018](file:///p:\pprever\2019-20\3343_20181218.docx)

**A** **BILL**

TO AMEND ACT 176 OF 1995, AS AMENDED, RELATING TO THE ELECTION OF MEMBERS OF THE BOARD OF TRUSTEES OF LEXINGTON COUNTY SCHOOL DISTRICT 1, SO AS TO REVISE THE METHOD OF ELECTING MEMBERS FROM DISTRICTWIDE AT‑LARGE ELECTIONS TO ONE MEMBER ELECTED FROM EACH OF THE DISTRICT’S FIVE HIGH SCHOOL ATTENDANCE AREAS, AND TWO MEMBERS ELECTED AT‑LARGE FROM LEXINGTON COUNTY SCHOOL DISTRICT 1.

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

SECTION 1. Section 1 of Act 176 of 1995, as last amended by Act 522 of 1996, is further amended to read:

“SECTION 1. ~~Notwithstanding any other provision of law, the Board of Trustees of Lexington County School District 1 consists of seven members who, except for the 1995 special election, must be elected in nonpartisan elections to be held at the same time as the general election in even‑numbered years beginning in 1996 in the manner hereinafter provided. Each member of the board must be a resident of the school district and shall be elected by the qualified electors of the school district. Except for the members elected in the 1995 special election, members of the board shall be elected for four‑year terms and until their successors are elected and qualify. In the event of a vacancy on the board occurring for any reason other than expiration of a term, the board shall call a special election to fill the unexpired term, so long as the vacancy does not occur within six months of a regular trustee election. In this case, the vacancy must be filled for the remainder of the unexpired term or for a full term as appropriate at the next regular election.~~

~~Each member of the board must be elected by the qualified electors of the school district. All persons desiring to qualify as a candidate shall file written notice of candidacy with the county election commission, or with the clerk of court on forms furnished by the commission which forms must be transmitted to the commission by the clerk of court. This notice of candidacy must be a sworn statement and must include the candidate’s name, age, residence address, voting precinct, period of residence in the school district and other information as the county election commission requires. The filing period opens on the first Tuesday in September at noon to run for two weeks.~~

~~The county commissioners of election shall conduct and supervise the elections for members of the board in the manner governed by the election laws of this State, mutatis mutandis. The commissioners shall prepare the necessary ballots, appoint managers for the voting precincts, and do all things necessary to carry out the elections, including the counting of ballots and declaring the results. The commission shall publish notices of the time, polling places, and purpose of the election in a newspaper of general circulation within the district once a week for at least two successive weeks before the election. The results of the elections must be determined by the nonpartisan plurality method as contained in Section 5‑15‑61 of the 1976 Code. The expenses of the election must be paid by the district. The members of the board elected in these nonpartisan elections shall take office one week following certification of their election as provided in Section 59‑19‑315 of the 1976 Code.~~ (A)(1) Notwithstanding another provision of law, beginning in 2020, Lexington County School District 1 must be governed by a reconstituted board of trustees of seven members, one of whom must be elected from each of the district’s five high school attendance areas, for a total of five members, plus two members elected at‑large from District 1. The seat designations for the reconstituted board of trustees are as follows:

1. Seat 1, Gilbert High School attendance area;
2. Seat 2, Lexington High School attendance area;
3. Seat 3, Pelion High School attendance area;
4. Seat 4, River Bluff High School attendance area;
5. Seat 5, White Knoll High School attendance area;
6. Seat 6, the District 1 at‑large seat receiving the lowest vote total in the 2020 school district election;
7. Seat 7, the District 1 at‑large seat receiving the highest vote total in the 2020 school district election.

Each of the five board members elected from District 1’s five high school attendance areas must be a resident of the high school attendance area from which he is elected, and the two at‑large members must be residents of Lexington County School District 1. Board members may succeed themselves.

(2) Beginning in 2020, the members of the board must be elected at nonpartisan elections to be conducted at the same time as the general election. Members of the board must be elected for four‑year terms and until their successors are elected and qualify, except that of the seven board members elected in 2020, the members elected to seat numbers 2, 4, and 6 shall serve initial two‑year terms to expire in November 2022. Upon the expiration of these members’ initial two‑year terms, their successors, elected at the 2022 school district election, shall qualify and take office for full four‑year terms. The members elected to seat numbers 1, 3, 5, and 7 in 2020 shall serve for initial terms to expire in November 2024, when their successors elected at the 2024 school district election qualify and take office. In the event of a vacancy on the board occurring for any reason other than the expiration of a term, the vacancy must be filled for the unexpired term through appointment by the county legislative delegation.

(B) All persons desiring to qualify as a candidate shall file written notice of candidacy with the Lexington County Board of Voter Registration and Elections on forms furnished by the board. The filing period shall open at 12:00 p.m. on August first or, if August first falls on Saturday or Sunday, then 12:00 p.m. on the following Monday and shall run until 12:00 p.m. on August fifteenth or, if August fifteenth falls on Saturday or Sunday, no later than 12:00 p.m. on the following Monday. This notice of candidacy must be a sworn statement and shall include the candidate’s name, age, address, high school attendance area in which he resides and from which he seeks election, voting precinct, period of residence in the county and school district, and other information that the board requires. The notice of candidacy also shall allow a candidate to specify clearly whether he is offering for election to one of the school district’s two at‑large seats.

(C) The Lexington County Board of Voter Registration and Elections shall conduct and supervise the elections for members of the school district board of trustees in the manner governed by the election laws of this State, mutatis mutandis. The board of voter registration and elections shall prepare the necessary ballots, appoint managers for the voting precincts, and do all things necessary to carry out the elections, including the counting of ballots and declaring the results. The board also shall publish notice of the elections pursuant to Section 7‑13‑35. The results of the elections must be determined by the nonpartisan plurality method contained in Section 5‑15‑61. The members of the school district board of trustees elected in these nonpartisan elections shall take office one week following certification of their election pursuant to Section 59‑19‑315.”

SECTION 2. All local acts concerning the election of members to the Lexington County School District 1 Board of Trustees inconsistent with the provisions of this act are repealed as of this act’s effective date, it being the intent of the General Assembly to have this act and the general law be the only provisions of law governing Lexington County School District 1 elections.

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

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