**South Carolina General Assembly**

124th Session, 2021-2022

**A112, R23, S515**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Stephens and Hutto

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Introduced in the Senate on February 3, 2021

Introduced in the House on February 17, 2021

Last Amended on April 7, 2021

Passed by the General Assembly on April 13, 2021

Governor's Action: April 21, 2021, Signed

Summary: Orangeburg County School District Trustees' duty to adopt attendance zones

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/3/2021 Senate Introduced, read first time, placed on local & uncontested calendar ([Senate Journal‑page 31](file:///h%3A%5Csj%5C20210203.docx))

 2/9/2021 Senate Read second time ([Senate Journal‑page 10](file:///h%3A%5Csj%5C20210209.docx))

 2/11/2021 Senate Amended

 2/12/2021 Scrivener's error corrected

 2/16/2021 Senate Read third time and sent to House ([Senate Journal‑page 6](file:///h%3A%5Csj%5C20210216.docx))

 2/17/2021 House Introduced and read first time ([House Journal‑page 11](file:///h%3A%5Chj%5C20210217.docx))

 2/17/2021 House Referred to **Orangeburg Delegation** ([House Journal‑page 11](file:///h%3A%5Chj%5C20210217.docx))

 4/6/2021 House Committee report: Favorable Orangeburg Delegation ([House Journal‑page 102](file:///h%3A%5Chj%5C20210406.docx))

 4/7/2021 Scrivener's error corrected

 4/7/2021 House Amended ([House Journal‑page 5](file:///h%3A%5Chj%5C20210407.docx))

 4/7/2021 House Read second time ([House Journal‑page 5](file:///h%3A%5Chj%5C20210407.docx))

 4/7/2021 House Roll call Yeas‑90 Nays‑0 ([House Journal‑page 5](file:///h%3A%5Chj%5C20210407.docx))

 4/8/2021 House Read third time and returned to Senate with amendments ([House Journal‑page 6](file:///h%3A%5Chj%5C20210408.docx))

 4/13/2021 Senate Concurred in House amendment and enrolled ([Senate Journal‑page 19](file:///h%3A%5Csj%5C20210413.docx))

 4/15/2021 Ratified R 23

 4/21/2021 Signed By Governor

 4/23/2021 Effective date 04/21/21

 7/2/2021 Act No.  112

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=515&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/3/2021](file:///p%3A%5Cpprever%5C2021-22%5C515_20210203.docx)

[2/3/2021-A](file:///p%3A%5Cpprever%5C2021-22%5C515_20210203A.docx)

[2/11/2021](file:///p%3A%5Cpprever%5C2021-22%5C515_20210211.docx)

[2/12/2021](file:///p%3A%5Cpprever%5C2021-22%5C515_20210212.docx)

[4/6/2021](file:///p%3A%5Cpprever%5C2021-22%5C515_20210406.docx)

[4/7/2021](file:///p%3A%5Cpprever%5C2021-22%5C515_20210407.docx)

[4/7/2021-A](file:///p%3A%5Cpprever%5C2021-22%5C515_20210407A.docx)

(A112, R23, S515)

**AN ACT TO AMEND ACT 280 OF 2018, RELATING TO THE ORANGEBURG COUNTY SCHOOL DISTRICT, SO AS TO ELIMINATE THE PROHIBITION AGAINST HOLDING CERTAIN SCHOOL CLOSURE REFERENDUMS AT THE SAME TIME AS A SCHOOL BOND REFERENDUM, TO PROVIDE THAT CERTAIN PROCEDURES REGARDING THE CLOSURE OF AN ORANGEBURG COUNTY ELEMENTARY, MIDDLE, OR HIGH SCHOOL DO NOT APPLY IF THE BOARD OF TRUSTEES DETERMINES THAT A BUILDING OR STRUCTURE IS AN IMMINENT THREAT TO THE HEALTH OR SAFETY OF STUDENTS OR STAFF, OR THAT THE NEEDED UPGRADES AND REPAIRS TO MAINTAIN A BUILDING OR STRUCTURE ARE ECONOMICALLY UNFEASIBLE; AND TO REVISE THE ORANGEBURG COUNTY SCHOOL DISTRICT’S MILLAGE LEVY FOR FISCAL YEARS 2021‑2022 AND 2022‑2023.**

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

**Orangeburg County School District attendance zones and school closures**

SECTION 1. SECTION 3(B)(5) of Act 280 of 2018 is amended to read:

 “(5) adopt attendance zones of schools within the school district except that, through School Year 2021‑2022, existing attendance zones cannot be changed unless the federal court order regarding attendance zones is rescinded or amended during this period. However, no elementary, middle, or high school may be closed until three public hearings are held at least two weeks apart within the affected attendance area, with information to include, among other things, a delineation of the cost factors involved in keeping the school open and transporting the students to another school. In addition to the public hearings requirement, if a school in an attendance area that existed before consolidation is to be closed and the students of that school moved to a school in another attendance area, the qualified electors within the attendance area where the school is to be closed also first must approve the closing by referendum. A school building that is the responsibility of the board of trustees of the school district must be maintained in conformity with all applicable building code standards and requirements to protect and ensure the health, safety, and welfare of students, faculty, administrators, and the general public. The provisions of this item do not apply if the board determines that:

 (a) a school building or structure is an imminent threat to the health or safety of students or staff; or

 (b) the needed upgrades and repairs to maintain a school building or structure are economically unfeasible;”

**Orangeburg County School District millage levy**

SECTION 2. SECTION 5 of Act 280 of 2018 is amended to read:

 “SECTION 5. (A) The board of trustees of the school district, before July first of each year, shall prepare a school district budget for the ensuing school year. Before September second of each year, the board shall notify the county auditor and treasurer in writing of the millage required for the operation of the schools in the district for the ensuing school year. The notice by the board constitutes authority for the levying and collection of the millage upon all of the real and personal property within the school district. The levy must be placed to the credit of the district and expended for the district. Beginning with Fiscal Year 2022‑2023, the school district may raise its millage to two mills over that levied for Fiscal Year 2021‑2022, in addition to the inflation factor as estimated by the EFA and meeting the requirements of Section 59‑21‑1030. An increase above these mills for operations may be levied only after a majority of the registered electors of the district vote in favor of the millage increase in a referendum called by the district school board and conducted by the county election commission.

 (B) The board shall hold a public hearing prior to its final approval of the budget for the district. Notice of this public hearing must be placed in a newspaper of general circulation in the district at least fifteen days before the public hearing.

 (C) Beginning in Fiscal Year 2021‑2022, the operational millage levy for the district shall be two hundred nineteen mills.”

**Time effective**

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

Ratified the 15th day of April, 2021.

Approved the 21st day of April, 2021.

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