~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

February 11, 2021

**S. 203**

Introduced by Senator Hembree

S. Printed 2/11/21--S.

Read the first time January 12, 2021.

**THE COMMITTEE ON EDUCATION**

To whom was referred a Bill (S. 203) to amend Section 59-19-60 of the 1976 code, relating to the removal of school district trustees and filling vacancies, to provide that district trustees guilty of malfeasance, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Section 59‑16‑60 of the 1976 Code is amended to read:

“Section 59‑19‑60. Notwithstanding any provision of law to the contrary, school ~~School~~ district trustees ~~shall be subject to removal from office for cause by the county boards of education, upon notice and after being given an opportunity to be heard by the county board of education. Any such order of removal shall state the grounds thereof, the manner of notice and the hearing accorded the trustee, and any such trustee shall have the right to appeal to the court of common pleas, as provided in Section 59‑19‑560.~~ who willfully commit or engage in an act of malfeasance, misfeasance, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office or is deemed incompetent or incapacitated must be subject to removal by the Governor upon any of the foregoing causes being made to appear to the satisfaction of the Governor. Before removing any such officer, the Governor shall inform him in writing of the specific charges brought against him and give him an opportunity on reasonable notice to be heard. Vacancies occurring in the membership of any board of trustees for any cause shall be filled for the unexpired term ~~by the county board of education~~ in the same manner as provided for full‑term appointments. /

Renumber sections to conform.

Amend title to conform.

GREG HEMBREE for Committee.

**A** **BILL**

TO AMEND SECTION 59-19-60 OF THE 1976 CODE, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES AND FILLING VACANCIES, TO PROVIDE THAT DISTRICT TRUSTEES GUILTY OF MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY SHALL BE SUBJECT TO REMOVAL FROM OFFICE BY THE GOVERNOR, TO DELETE NOTICE REQUIREMENTS AND THE RIGHT TO APPEAL, AND TO MAKE CONFORMING CHANGES.

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

SECTION 1. Section 59-19-60 of the 1976 Code is amended to read:

“Section 59-19-60. Notwithstanding any provision of law to the contrary, school ~~School~~ district trustees guilty of malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity shall be subject to removal from office ~~for cause by the county boards of education, upon notice and after being given an opportunity to be heard by the county board of education~~ by the Governor. ~~Any such order of removal shall state the grounds thereof, the manner of notice and the hearing accorded the trustee, and any such trustee shall have the right to appeal to the court of common pleas, as provided in Section 59‑19‑560.~~ Vacancies occurring in the membership of any board of trustees for any cause shall be filled for the unexpired term ~~by the county board of education~~ in the same manner as provided for full‑term appointments.”

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

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