~~Indicates Matter Stricken~~

Indicates New Matter

INTRODUCED

February 4, 2021

**S. 526**

Introduced by Senators Hutto and Matthews

L. Printed 2/4/21--S.

Read the first time February 4, 2021.

**A** **BILL**

TO AMEND ACT 174 OF 1999, RELATING TO THE ALLENDALE COUNTY BOARD OF EDUCATION, SO AS TO CHANGE THE DEADLINE FOR FILING A NOTICE OF CANDIDACY, TO REQUIRE CANDIDATES SEEKING ELECTION TO SUBMIT A STATEMENT OF CANDIDACY RATHER THAN SIGNED PETITIONS, AND TO MAKE CONFORMING CHANGES.

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

SECTION 1. Section 1 of Act 174 of 1999 is amended to read:

“Section 1. (A) Notwithstanding any other provision of law, beginning with the 2000 election, the members of the Allendale County Board of Education, which shall consist of five members, must be elected in a nonpartisan election to be held at the same time as the general election in even‑numbered years. One member must be elected from and be a resident of each of the election districts from which members of the county council are elected. Members shall serve terms of four years, until their successors are elected and qualify. If a vacancy on the board occurs 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 ten months of a regular board election. If the vacancy occurs within ten months of a regular board election, the vacancy must be filled for the unexpired term or for a full term as appropriate at the next regular election.

(B) Each member of the board must be elected by the qualified electors of the district from which he seeks election. All persons desiring to qualify as a candidate shall file written notice of candidacy with the ~~county election commission~~ Allendale County Board of Voter Registration and Elections on forms furnished by the ~~commission~~ board. This notice of candidacy must be a sworn statement and must include the candidate’s name, age, election district from which he resides and seeks election, voting precinct, period of residence in the county and election district, and other information as the ~~county election commission~~ board requires. ~~The filing period opens on the first Tuesday in September at noon to run for two weeks as provided in Section 7‑13‑352 of the 1976 Code~~ The notice of candidacy must be filed with the Allendale County Board of Voter Registration and Elections no later than twelve o’clock noon on August fifteenth or, if August fifteenth falls on a Saturday or Sunday, no later than twelve o’clock noon on the following Monday. The results of the elections must be determined by the nonpartisan plurality method as contained in Section 5‑15‑61 of the 1976 Code.

(C) The ~~county commissioners of election~~ Allendale County Board of Voter Registration and Elections 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~~ board 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~~ board shall publish notices of the elections in the same manner provided in Section 7‑13‑35 of the 1976 Code.

(D) The members of each 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.

(E) The board has all the powers, duties, and responsibilities as prescribed in Section 59‑15‑10 of the 1976 Code and as otherwise provided by law.

(F) Notwithstanding any other provision of law, beginning with the Allendale County Board of Education election next following the effective date of this subsection, the only method by which a candidate may be added to the ballot is by filing a notice of candidacy. A candidate may not be added to the ballot by filing a petition.”

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

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