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Indicates New Matter

RECALLED

May 4, 2022

**H. 5288**

Introduced by Reps. Weeks and G.M. Smith

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Read the first time April 26, 2022.

**A** **BILL**

TO AMEND ACT 321 OF 2010, AS AMENDED, RELATING TO THE CONSOLIDATION OF THE SUMTER SCHOOL DISTRICT, SO AS TO, AMONG OTHER THINGS, ESTABLISH AND REAPPORTION THE NINE SINGLE‑MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE GOVERNING BODY OF THE SUMTER SCHOOL DISTRICT MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS; TO PROVIDE THAT THE NINE MEMBERS OF THE SUMTER SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED FOR FOUR‑YEAR TERMS IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2022 GENERAL ELECTION AND EVERY TWO OR FOUR YEARS THEREAFTER, EXCEPT AS NECESSARY TO STAGGER THE MEMBERS’ TERMS; AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE SINGLE‑MEMBER ELECTION DISTRICTS**.**

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

SECTION 1. SECTION 2(A) of Act 321 of 2010, as last amended by Act 106 of 2017, is further amended to read:

“(A)~~(1)~~ ~~The school district must be governed by a board of trustees of nine members, one of whom must be elected from each district from which members of the Sumter County Council are elected and two members from the county at large. The members of the board must be elected in nonpartisan elections. A member of the board representing a district must be a resident of the school district and the election district from which he is elected.~~

~~(2)(a)~~ ~~The two at‑large members of the board shall initially be appointed to the board by the members of the Sumter County Legislative Delegation. The appointees shall serve on the board until the next scheduled nonpartisan school district election. Members appointed by the Sumter County Legislative Delegation are eligible for election.~~

~~(b)(1)~~ ~~Both at‑large members elected to the board in 2018 shall be elected to a term of four years. One at‑large seat shall be designated as School Board Seat 8, and one at‑large seat shall be designated as School Board Seat 9.~~

~~(2)~~ ~~Following the 2020 decennial census, two new single‑member districts shall be established, giving the Sumter County School District a total of nine single‑member districts. One of the new single‑member districts shall be designated as District 8, and the other new single member district shall be designated as District 9. A member shall be elected from each of the two new apportioned single‑member districts beginning with the first school district election following reapportionment. The at‑large seats on the school board are abolished when District 8 and District 9 become single‑member districts. Candidates seeking election from the two new single‑member districts must be residents of the school district and the election districts from which they are elected.~~

~~(3)~~ ~~The member elected in the first school district election following reapportionment from the new single‑member district whose district number corresponds to the at‑large seat number receiving the most votes in the 2018 election shall serve for a term of four years. The member elected in the first school district election following reapportionment from the other new single‑member district shall serve for a term of two years. Thereafter, the terms for members elected from District 8 and District 9 shall be four years.~~

~~(3)~~ ~~School board elections shall be nonpartisan and shall be conducted on the first Tuesday after the first Monday of November every two years. Members of the board must 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 a 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 one hundred eighty days of a regular trustee election. In this case, the vacancy must be filled for the unexpired term through appointment by the Governor. All members of the board shall serve until their successors are elected and qualify. The Sumter Registration and Election Commission shall conduct and supervise the elections for members of the board in the manner as for the election of the Sumter County Council, subject to 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 elections in the same manner provided in Section 7‑13‑35. The results of the elections must be determined by the nonpartisan plurality method as contained in Section 5‑15‑61. 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.~~

~~(4)~~ ~~The members of the board shall elect a chairman and other officers they consider necessary to serve for terms of two years in these capacities.~~

(1) Notwithstanding another provision of law, the Sumter School District must be governed by a nine-member board of trustees. Beginning with the 2022 General Election, each of the nine members of the Sumter School District Board of Trustees must be elected in nonpartisan elections to be conducted at the same time as the general election and every two or four years thereafter, except as may be provided to stagger the members’ terms. The board members must be elected by the qualified electors of the Sumter School District from one of the nine defined single‑member districts as shown on the Sumter School District map on file with the Revenue and Fiscal Affairs Office and designated as document S‑85‑00‑22. This map, unless subsequently amended by the General Assembly or a court of competent jurisdiction, must be used for school district elections and to fill any vacancies that occur following the 2022 school district elections. A board member representing a numbered district must be a resident of the school district and the numbered single‑member district from which he is elected, and only those electors residing in the particular district are eligible to vote for the trustee who will represent the district.

(2) Notwithstanding another provision of law, the nine incumbent members of the Sumter School District Board of Trustees holding office on June 30, 2022, shall serve until their successors are elected in the 2022 school district elections and qualify. These incumbent board members also may seek election to the Sumter School District Board of Trustees in the 2022 school district elections.

(3) The members of the Sumter School District Board of Trustees must be elected for four‑year terms and until their successors are elected and qualify, except that of the nine board members elected in the 2022 school district elections, the four members elected from election districts 2, 4, 6, and 8 shall serve initial two‑year terms to expire in November 2024, when their successors elected at the 2024 school district elections qualify and take office for full four‑year terms. The five members elected in the 2022 school district elections from election districts 1, 3, 5, 7, and 9 shall serve full four‑year terms and until their successors are elected in the 2026 school district elections and qualify. In the event of a vacancy on the Sumter School District Board of Trustees occurring for a 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 one hundred eighty days of a general election at which school district elections are to be conducted. In this case, the vacancy must be filled for the unexpired term through appointment by the Governor.

(4) Notwithstanding another provision of law, all persons desiring to qualify as a candidate for the Sumter School District Board of Trustees shall file written notice of candidacy with the Sumter 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, election district in which the candidate resides and from which he seeks election, voting precinct, period of residence in the county, and other information that the board requires.

(5) The Sumter County Board of Voter Registration and Elections shall conduct and supervise the elections for members of the Sumter School District Board of Trustees in the manner governed by the election laws of this State, mutatis mutandis. The county elections 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 county elections board shall publish notices of the elections pursuant to Section 7‑13‑35. The results of the school district elections must be determined by the nonpartisan election and runoff election method pursuant to Section 5‑15‑62. The members of the Sumter 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.

(6) The members of the board shall elect a chairman and other officers they consider necessary to serve for terms of two years in these capacities.

(B) The demographic information for each of the nine single‑member districts shown on the Sumter School District map is as follows:

District Pop. Dev. % Dev. Hisp. %Hisp.

1 11,794 66 0.56% 802 6.80%

2 11,222 ‑506 ‑4.31% 431 3.84%

3 11,687 ‑41 ‑0.35% 390 3.34%

4 11,878 150 1.28% 349 2.94%

5 12,348 620 5.29% 473 3.83%

6 11,237 ‑491 ‑4.19% 320 2.85%

7 11,635 ‑93 ‑0.79% 522 4.49%

8 11,688 ‑40 ‑0.34% 491 4.20%

9 12,067 339 2.89% 524 4.34%

Totals 105,556 4,302 4.08%

District NHWhite %NHWhite NHBlk %NH Blk VAP %VAP

1 6,140 52.06% 3,846 32.61% 8,866 75.17%

2 3,792 33.79% 6,512 58.03% 8,816 78.56%

3 6,036 51.65% 4,712 40.32% 9,147 78.27%

4 4,255 35.82% 6,954 58.55% 9,316 78.43%

5 5,137 41.60% 6,246 50.58% 9,289 75.23%

6 6,915 61.54% 3,462 30.81% 8,707 77.49%

7 2,954 25.39% 7,910 67.98% 8,647 74.32%

8 6,864 58.73% 3,502 29.96% 8,999 76.99%

9 4,349 36.04% 6,613 54.80% 9,615 79.68%

Totals 46,442 44.00% 49,757 47.14% 81,402

District HVAP %HVAP NH WVAP %NH WVAP NH BVAP % NH BVAP

1 521 5.88% 4,878 55.02% 2,767 31.21%

2 273 3.10% 3,133 35.54% 5,049 57.27%

3 241 2.63% 4,879 53.34% 3,631 39.70%

4 230 2.47% 3,479 37.34% 5,368 57.62%

5 305 3.28% 4,091 44.04% 4,579 49.29%

6 204 2.34% 5,565 63.91% 2,550 29.29%

7 337 3.90% 2,517 29.11% 5,628 65.09%

8 345 3.83% 5,479 60.88% 2,546 28.29%

9 401 4.17% 3,703 38.51% 5,061 52.64%

Totals 2,857 3.51% 37,724 46.34% 37,179 45.67%”

SECTION 2. The exterior boundaries of the Sumter School District are not altered by the provisions of this act. These school district lines are as defined by law and any census blocks which may be divided are done so only for statistical purposes and to establish a population base.

SECTION 3. All local acts pertaining to Sumter School District elections inconsistent with the provisions of this act are repealed as of July 1, 2022, it being the intent of the General Assembly to have this act and the general law be the only provisions of law governing the election of members to the Sumter School District Board of Trustees.

SECTION 4. This act takes effect upon approval by the Governor.

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