**South Carolina General Assembly**

118th Session, 2009-2010

**H. 4330**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Sellers

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Introduced in the House on January 14, 2010

Currently residing in the House Committee on **Education and Public Works**

Summary: Public works commissioner

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/14/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\01-14-10.docx)‑522

1/14/2010 House Referred to Committee on **Education and Public Works** [HJ](file:///h:\HJ%20Archive\2010\01-14-10.docx)‑522

**VERSIONS OF THIS BILL**

[1/14/2010](file:///p:\pprever\2009-10\4330_20100114.docx)

**A** **BILL**

TO AMEND SECTION 5‑31‑210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ELECTION AND TERMS OF COMMISSIONERS OF PUBLIC WORKS IN A MUNICIPALITY, SO AS TO ELIMINATE A REQUIREMENT THAT CERTAIN PROVISIONS ONLY APPLY TO A BOARD OF COMMISSIONERS OF PUBLIC WORKS FOUNDED AFTER 1920.

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

SECTION 1. Section 5‑31‑210 of the 1976 Code is amended to read:

“Section 5‑31‑210. ~~At any~~ (A) In an election for bonds held to meet the costs of acquiring property of the character referred to in Section 5‑31‑610 ~~the~~, an elector ~~shall~~ may vote for three citizens of the ~~city or town~~ municipality whose terms of office ~~shall~~ must be respectively two, four, and six years and until the general election for municipal officers next following the expiration of the short term, and until their successors are elected and qualified. The classification above designated as to the term ~~shall~~ must be ascertained by the commissioners after election by lot. At ~~each~~ a general election for municipal officers following the expiration of the term of the commissioner holding the short term and at every such election every two years ~~thereafter~~ afterward, one such commissioner ~~shall~~ must be elected for a term of six years and until his successor is elected and qualified. ~~The officers so elected~~ These and their successors in office ~~shall be~~ are known as the commissioners of public works of ~~such~~ the municipality and by that name may sue and be sued in ~~any of the courts~~ a court of this State.

(B) In addition to the three members of the board of commissioners of public works of a municipality authorized above, the governing body of a municipality with a population of fifty thousand ~~persons~~ people or less according to the 1980 official United States Census may provide by ordinance for the election of two additional commissioners. The new commissioners must be elected at a special election or at ~~any~~ a general election following the enactment of the ordinance in the same manner ~~that~~ as the other commissioners ~~are elected~~. The new member receiving the highest number of votes in that election shall serve for a term of six years and the new member receiving the next highest number of votes in that election shall serve for a term of four years. Their successors must be elected in the election for municipal officers every four or six years ~~thereafter~~ afterward for ~~terms~~ a term of office of six years. ~~The members~~ A member elected shall serve until ~~their successors are~~ his successor is elected and ~~qualify~~ qualified. ~~Vacancies~~ A vacancy in these two new positions must be filled in the same manner as other vacancies on the board of commissioners of public works are filled. ~~The provisions of this paragraph for two additional commissioners apply only to boards of commissioners of public works founded after 1920.~~”

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

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