**South Carolina General Assembly**

119th Session, 2011-2012

**A146, R164, S1301**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Fair and Ford

Document Path: l:\council\bills\dka\3995sd12.docx

Companion/Similar bill(s): 4923

Introduced in the Senate on March 1, 2012

Introduced in the House on March 22, 2012

Last Amended on March 21, 2012

Passed by the General Assembly on March 30, 2012

Governor's Action: April 18, 2012, Signed

Summary: Public Service District

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/1/2012 Senate Introduced, read first time, placed on calendar without reference ([Senate Journal‑page 8](file:///h:\sj%20archive\2012\03-01-12.docx))

3/2/2012 Scrivener's error corrected

3/7/2012 Senate Amended ([Senate Journal‑page 23](file:///h:\sj%20archive\2012\03-07-12.docx))

3/7/2012 Senate Read second time ([Senate Journal‑page 23](file:///h:\sj%20archive\2012\03-07-12.docx))

3/7/2012 Senate Roll call Ayes‑39 Nays‑1 ([Senate Journal‑page 23](file:///h:\sj%20archive\2012\03-07-12.docx))

3/21/2012 Senate Amended ([Senate Journal‑page 33](file:///h:\sj%20archive\2012\03-21-12.docx))

3/21/2012 Senate Read third time and sent to House ([Senate Journal‑page 33](file:///h:\sj%20archive\2012\03-21-12.docx))

3/21/2012 Senate Roll call Ayes‑39 Nays‑0 ([Senate Journal‑page 33](file:///h:\sj%20archive\2012\03-21-12.docx))

3/22/2012 House Introduced and read first time

3/22/2012 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 12](file:///h:\hj%20archive\2012\03-22-12.docx))

3/22/2012 Scrivener's error corrected

3/22/2012 House Recalled from Committee on **Labor, Commerce and Industry** ([House Journal‑page 50](file:///h:\hj%20archive\2012\03-22-12.docx))

3/29/2012 House Read second time ([House Journal‑page 95](file:///h:\hj%20archive\2012\03-29-12.docx))

3/29/2012 House Roll call Yeas‑95 Nays‑0 ([House Journal‑page 95](file:///h:\hj%20archive\2012\03-29-12.docx))

3/29/2012 House Unanimous consent for third reading on next legislative day ([House Journal‑page 96](file:///h:\hj%20archive\2012\03-29-12.docx))

3/30/2012 House Read third time and enrolled ([House Journal‑page 2](file:///h:\hj%20archive\2012\03-30-12.docx))

4/13/2012 Ratified R 164

4/18/2012 Signed By Governor

4/25/2012 Effective date 04/18/12

5/7/2012 Act No. 146

**VERSIONS OF THIS BILL**

[3/1/2012](file:///p:\pprever\2011-12\1301_20120301.docx)

[3/1/2012-A](file:///p:\pprever\2011-12\1301_20120301A.docx)

[3/2/2012](file:///p:\pprever\2011-12\1301_20120302.docx)

[3/7/2012](file:///p:\pprever\2011-12\1301_20120307.docx)

[3/21/2012](file:///p:\pprever\2011-12\1301_20120321.docx)

[3/22/2012](file:///p:\pprever\2011-12\1301_20120322.docx)

[3/22/2012-A](file:///p:\pprever\2011-12\1301_20120322A.docx)

(A146, R164, S1301)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6‑11‑335 SO AS TO PROVIDE FOR THE MANNER IN WHICH AND REQUIREMENTS UNDER WHICH THE MEMBERSHIP OF THE GOVERNING BODY OF CERTAIN PUBLIC SERVICE DISTRICTS MAY BE EXPANDED.**

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

**Additional members**

SECTION 1. Article 1, Chapter 11, Title 6 of the 1976 Code is amended by adding:

“Section 6‑11‑335. (A) For purposes of this section:

(1) ‘membership’ means the governing body of a public service district created prior to 1975, located wholly in one county, and providing water, sewer, or fire service; and

(2) ‘additional members’ means the persons who increase the membership as provided by this section.

(B) The membership may seek to authorize additional members not to exceed a total of ten by petitioning:

(1) the county legislative delegation if the membership is appointed by or upon the recommendation of the county legislative delegation; or

(2) the county governing body, if the membership is elected or appointed by or upon the recommendation of the county governing body or an entity other than the county legislative delegation.

(C) The petition must be in writing and include reasons for the increase in membership.

(D) If the county legislative delegation or the county governing body has not affirmatively disapproved the petition within sixty days of receiving the petition, the membership may file the petition with the Office of the Secretary of State. Upon certification by the Secretary of State that additional members have been authorized, the membership shall be increased.

(E) If the membership is elected, the additional members shall be elected at the next regularly scheduled election for the membership in the same manner as the membership is elected and to serve for terms of the same length and until their successors are elected and qualify; provided, that of the additional members first elected:

(1) if an even number of additional members is elected, one‑half of the additional members receiving the highest number of votes shall serve initial terms of the same length as the membership, and the remaining additional members receiving the next highest number of votes shall serve initial terms of one‑half that length; or

(2) if an odd number of additional members is elected, one‑half plus one of the additional members receiving the highest number of votes shall serve initial terms of the same length as the membership and the remaining additional members receiving the next highest number of votes shall serve initial terms of one‑half that length.

Thereafter, the successors of the additional members must be elected for terms of the same length as the membership.

(F) If the membership is appointed, the additional members may be appointed in the same manner the membership is appointed with at least one‑half of the additional members to serve initial terms of the same length as the membership, and the remaining additional members to serve initial terms of one‑half that length. The initial terms of all additional members must be designated by their appointing authority. Thereafter, their successors must be appointed for terms of the same length as the membership.

(G) All members shall serve until their successors are elected or appointed and qualify.”

**Time effective**

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

Ratified the 13th day of April, 2012.

Approved the 18th day of April, 2012.

\_\_\_\_\_\_\_\_\_\_