**South Carolina General Assembly**

120th Session, 2013-2014

**H. 3572**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Barfield

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Introduced in the House on February 20, 2013

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

Summary: University Board of Trustees

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/20/2013 House Introduced and read first time ([House Journal‑page 3](file:///h:\HJ%20Archive\2013\02-20-13.docx))

2/20/2013 House Referred to Committee on **Education and Public Works** ([House Journal‑page 3](file:///h:\HJ%20Archive\2013\02-20-13.docx))

**VERSIONS OF THIS BILL**

[2/20/2013](file:///p:\pprever\2013-14\3572_20130220.docx)

**A** **BILL**

TO AMEND SECTIONS 59‑117‑10, 59‑117‑20, 59‑119‑40, 59‑121‑10, 59‑121‑20, 59‑123‑40, AS AMENDED, 59‑123‑50, AS AMENDED, 59‑125‑20, AS AMENDED, 59‑125‑30, AS AMENDED, 59‑127‑20, AS AMENDED, 59‑130‑10, AS AMENDED, 59‑133‑10, AS AMENDED, 59‑135‑10, AS AMENDED, AND 59‑136‑110, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE BOARDS OF TRUSTEES OF CERTAIN FOUR‑YEAR STATE‑SUPPORTED INSTITUTIONS OF HIGHER LEARNING INCLUDING THE UNIVERSITY OF SOUTH CAROLINA, CLEMSON UNIVERSITY, THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, THE CITADEL, WINTHROP UNIVERSITY, SOUTH CAROLINA STATE UNIVERSITY, LANDER UNIVERSITY, FRANCIS MARION UNIVERSITY, AND COASTAL CAROLINA UNIVERSITY, ALL SO AS TO ADD ONE MEMBER TO THE BOARD OF TRUSTEES OF EACH INSTITUTION, AND TO PROVIDE FOR THE MANNER OF APPOINTMENT OF THESE ADDITIONAL MEMBERS.

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

SECTION 1. Section 59‑117‑10 of the 1976 Code is amended to read:

“Section 59‑117‑10. The board of trustees of the University of South Carolina ~~shall~~ must be composed of the Governor of the State ~~(~~or his designee~~)~~, the State Superintendent of Education, and the President of the Greater University of South Carolina Alumni Association, which three ~~shall~~ must be members ex officio of the board; and ~~seventeen~~ eighteen other members including one member from each of the sixteen judicial circuits to be elected by the general vote of the General Assembly as hereinafter provided, and one at‑large member appointed by the Governor and one at‑large member appointed by the Board of Trustees. The Governor and board shall make ~~the appointment~~ their appointments based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the board is representative of all citizens of the State of South Carolina.”

SECTION 2. Section 59‑117‑20 of the 1976 Code is amended to read:

“Section 59‑117‑20. (A) The regular term of office of each trustee elected by the General Assembly is four years; however, the trustee shall continue to function as a trustee after his term has expired until his successor is elected and qualifies. Trustees from the first, third, fifth, seventh, ninth, eleventh, twelfth, and thirteenth judicial circuits whose terms expire March 31, 1982, must next be elected for terms commencing on April 1, 1982, and those terms expire on June 30, 1986. Trustees from the second, fourth, sixth, eighth, tenth, fourteenth, fifteenth, and sixteenth judicial circuits elected for terms to commence April 1, 1984, shall have their terms extended to June 30, 1988, and must next be elected for terms commencing on July 1, 1988. Thereafter, the General Assembly shall hold elections every two years for the purpose of selecting successors of those trustees whose terms are then expiring. The term of office of an elective trustee commences on the first day of July of the year in which the trustee under this plan is scheduled to be elected and the term continues until the thirtieth day of June of the year in which the term is scheduled to expire. After its 1984 session, the General Assembly shall elect successors to those elective trustees whose terms are expiring not earlier than the first day of April of the year the term expires. In electing members of the board, the General Assembly shall elect members based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the board is representative of all citizens of the State of South Carolina.

(B) The ~~term~~ terms of office of the at‑large ~~trustee~~ trustees appointed by the Governor ~~is~~ and board are effective upon certification to the Secretary of State and ~~is~~ are four years. If the Governor, chooses to designate a member to serve in his stead as permitted by Section 59‑117‑10, the appointment is effective upon certification to the Secretary of State and shall continue, at the pleasure of the Governor making the appointment, so long as he continues to hold the specified office.

(C) The term of the President of the Greater University of South Carolina Alumni Association is for the active term of office as president.”

SECTION 3. Section 59‑119‑40 of the 1976 Code is amended to read:

“Section 59‑119‑40. (A) The university ~~shall~~ must be under the management and control of a board of ~~thirteen~~ fourteen trustees, composed of the seven members nominated by the will and their successors and six members to be elected by the General Assembly in joint assembly and one at‑large member appointed by the entire board. Three of the original trustees having been elected for a term of two years and three for a term of four years from the commencement of their terms and until their successors were elected, thereafter the General Assembly has and hereafter it shall every two years elect in joint assembly three trustees for such university who shall serve for a term of four years and until their successors shall be elected and shall qualify. ~~In~~ Electing or appointing members of the board~~, the General Assembly shall elect members~~ must be based on merit regardless of race, color, creed, or gender and ~~shall~~ must strive to assure that the membership of the board is representative of all citizens of the State of South Carolina.

(B) The terms of the present members of the board who are elected by the General Assembly expire on the thirtieth day of June of the year in which the terms are scheduled to expire. Beginning with its 1984 session, the General Assembly shall elect successors to the elective trustees not earlier than the first day of April for a term to begin the following July first. Elections to fill vacancies on the board which are caused by the death, resignation, or removal of an elective trustee may be held earlier than the first day of April of the year in which the unexpired term terminates, but the term of the person elected to fill the vacancy expires on the last day of June of the year in which the term of the former member would have expired. The member appointed by the entire board serves at the pleasure of the board and may be removed by a majority vote of the entire board, with the appointed member abstaining.”

SECTION 4. Section 59‑121‑10 of the 1976 Code is amended to read:

“Section 59‑121‑10. The board of visitors of The Citadel, the Military College of South Carolina, ~~shall~~ must be composed of the Governor, the Adjutant General and the State Superintendent of Education, who shall be members ex officio of the board, and ~~eleven~~ twelve others who ~~shall~~ must be graduates of the college, seven of whom are to be elected by joint vote of the General Assembly as hereinafter provided, three of whom are to be elected by such means and methods as may be determined by the Association of Citadel Men or any succeeding organization of Citadel men, the result of election to be certified by the president of the association to the Secretary of State, ~~and~~ one of whom ~~shall~~ must be appointed by the Governor, and one of whom must be appointed by the board. The Governor and board shall make ~~the appointment~~ their appointments based on merit regardless of race or economic status and shall strive to assure that the membership of the board is representative of all citizens of the State of South Carolina.”

SECTION 5. Section 59‑121‑20 of the 1976 Code is amended to read:

“Section 59‑121‑20. (A) The regular terms of office of the elected members in office on April 18, 1947, who are still in office shall end on the last day of June in the years stated in the table in Act 108 of the regular session of 1947 (Acts 1947, p. 144). The regular terms of office of the elected members who were not in office on that date and of all members hereafter elected ~~shall~~ must be six years; provided, that the third member authorized to be elected by the Association of Citadel Men shall serve an initial term of four years. All elected terms shall begin on the first day of July and end on the last day of June; provided, however, that each incumbent shall be entitled to hold office until his successor is duly elected. In electing members of the board, the General Assembly shall elect members based on merit regardless of race or economic status and shall strive to assure that the membership of the board is representative of all citizens of the State of Carolina.

(B) The ~~term~~ terms of office of the at‑large ~~trustee~~ trustees appointed by the Governor ~~shall be~~ and board are effective upon certification to the Secretary of State and ~~shall be~~ are six years.”

SECTION 6. Section 59‑123‑40 of the 1976 Code, as last amended by Act 176 of 2012, is further amended to read:

“Section 59‑123‑40. The management and control of the university ~~shall~~ must be vested in a board of trustees, to be composed as follows: the Governor or his designee, ex officio, fourteen members to be elected by the General Assembly in joint assembly ~~and~~, one member to be appointed by the Governor, and one member to be appointed by the board. The Governor and board shall make ~~the appointment~~ their appointments based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the board is representative of all citizens of the State of South Carolina.”

SECTION 7. Section 59‑123‑50 of the 1976 Code, as last amended by Act 176 of 2012, is further amended to read:

“Section 59‑123‑50. (A) The present members of the board of trustees shall continue to serve until July 1, 1966, at which time their terms shall terminate and the members of the board to succeed the present members, and to fill the additional membership provided in Section 59‑123‑40, must be elected at a joint session of the General Assembly on the following dates: On the first Wednesday in February 1966, members representing the medical profession (medical doctor, dentist, registered nurse, or licensed pharmacist) and on the second Wednesday in February 1966, lay members or nonmedical members. One member of the medical profession from each congressional district and one layman or member of a nonmedical profession from each congressional district must be elected. The terms of all members elected commence on July 1, 1966. Of those first elected, the member who represents the medical profession from the first, second, and third congressional districts and lay members or members of a nonmedical profession from the fourth, fifth, and sixth congressional districts must be elected for terms of four years or until their successors are elected and qualify. The member of the board of trustees who represents the medical profession from the fourth, fifth, and sixth congressional districts and the members who are laymen or members of nonmedical professions from the first, second, and third congressional districts must be elected for terms of two years or until their successors are elected and qualify. Effective July 1, 2012, the member who represents the medical profession from the seventh congressional district must be elected to a term of four years and the lay member or member of a nonmedical profession from the seventh congressional district must be elected for an initial term of two years. Their successors must be elected for terms of four years or until their successors are elected and qualify. After its 1984 session, the General Assembly shall elect successors to those members it elects not earlier than the first day of April for a term to begin the following July first. Elections to fill vacancies on the board which are caused by the death, resignation, or removal of an elective trustee may be held earlier than the first day of April of the year in which the unexpired term terminates, but the term of the person elected to succeed the member expires on the last day of June of the year in which the term of the former member would have expired. In electing members of the board, the General Assembly shall elect members based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the board is representative of all citizens of the State of South Carolina.

(B) The ~~term~~ terms of the at‑large ~~trustee~~ trustees appointed by the Governor ~~is~~ and board are effective upon certification to the Secretary of State and ~~is~~ are four years. Any vacancy in the ~~office~~ offices of the member appointed by the Governor or board must be filled by appointment for the unexpired term in the same manner of original appointment. If the Governor chooses to designate a member to serve in his stead, as permitted by Section 59‑123‑40, the appointment is effective upon certification to the Secretary of State and shall continue, at the pleasure of the Governor making the appointment, so long as he continues to hold the specified office. The member appointed by the board serves at the pleasure of the board and may be removed by a majority vote of the entire board, with the board’s appointee abstaining.”

SECTION 8. Section 59‑125‑20 of the 1976 Code, as last amended by Act 176 of 2012, is further amended to read:

“Section 59‑125‑20. (A) The Board of Trustees of Winthrop University is composed of the Governor and the State Superintendent of Education or their designees who are members ex officio of the board, ten other members each to be elected by the joint vote of the General Assembly, as hereinafter provided, and two graduates of Winthrop University to be appointed by the Winthrop University Alumni Association or its successors, as hereinafter provided.

(B) In addition to the members of the board in subsection (A), there ~~shall~~ must be one additional member of the board appointed by the Governor, and one additional member appointed by the board. The Governor and board shall make ~~the appointment~~ their appointments based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the board is representative of all citizens of the State of South Carolina.”

SECTION 9. Section 59‑125‑30 of the 1976 Code, as last amended by Act 176 of 2012, is further amended to read:

“Section 59‑125‑30. Of the ten members to be elected by the General Assembly, one member must be elected from each of the congressional districts and three members must be elected by the General Assembly from the State at large. Each representative of a congressional district must be a resident of the congressional district represented. The regular term of office of the elective members of the board of trustees is six years. In electing members of the board, the General Assembly shall elect members based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the board is representative of all citizens of the State of South Carolina. The elective members of the board of trustees shall continue to serve until the thirtieth day of June of the year in which their terms are scheduled to expire. Those persons elected by the General Assembly shall have their seats designated as the seat number corresponding to the congressional district from which they are elected with the at‑large members designated as Seat Eight, Seat Nine, and Seat Ten with the present at‑large member of the board deemed to be serving in Seat Eight. The General Assembly shall hold elections to fill vacancies as they occur on the board by the expiration of terms of office, as follows: Seat One in 2006, Seat Two in 2008, Seat Three in 2004, Seat Four in 2004, Seat Five in 2006, Seat Six in 2008, Seat Seven in 2018, Seat Eight in 2005, Seat Nine in 2008, and Seat Ten in 2009. In 2008, the person elected by the General Assembly to fill Seat Nine shall serve a six‑year term and in 2009, the person elected by the General Assembly to fill Seat Ten shall serve a six‑year term. At the completion of those terms of office, all subsequent members of the board elected by the General Assembly to fill Seats Nine and Ten shall be elected for six‑year terms. Elections to fill vacancies which are caused by the death, resignation, or removal of an elective trustee may be held earlier than the first day of April of the year in which the unexpired term terminates, but the term of the person elected to fill the vacancy expires on the last day of June of the year in which the term of the former member would have expired. When there is a vacancy otherwise occurring on the board of trustees among the elected members, the Governor may fill it by appointment until the next session of the General Assembly. The State Superintendent of Education or the superintendent’s designee shall serve in Seat Eleven, ex officio. Seat Fourteen shall be a member appointed by the Governor. The member appointed by the board shall serve in Seat Fifteen. The Governor or the Governor’s designee shall serve in Seat ~~Fifteen~~ Sixteen, ex officio. In 2006, the person elected by the Winthrop University Alumni Association or its successors to fill Seat Twelve shall serve a six‑year term and the person elected by the Winthrop University Alumni Association or its successors to fill Seat Thirteen shall serve a four‑year term. At the completion of those terms of office, all subsequent members of the board elected by the Winthrop University Alumni Association or its successors to fill Seats Twelve and Thirteen shall be elected for six‑year terms. The names of those so elected must be certified to the Secretary of State by the president and secretary of the association and they shall take office immediately after the certification. The term of the at‑large trustee appointed by the Governor to Seat Fourteen is effective upon certification to the Secretary of State and is coterminous with the term of office of the Governor. Any vacancy in the office of the member appointed by the Governor must be filled by appointment of the Governor for the unexpired term in the same manner of original appointment.”

SECTION 10. Section 59‑127‑20 of the 1976 Code, as last amended by Act 176 of 2012, is further amended to read:

“Section 59‑127‑20. (A) South Carolina State University is managed and controlled by a board of trustees, composed of ~~thirteen~~ fourteen members, twelve of whom are elected by the General Assembly, one member from each congressional district and five at large for terms of four years each and until their successors are elected and qualify. In electing members of the board, the General Assembly shall elect members based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the board is representative of all citizens of the State of South Carolina. A member appointed by the board of trustees is the thirteenth member of the board of trustees. The Governor of the State or his designee is ex officio, the ~~thirteenth~~ fourteenth member of the board of trustees. In case of a vacancy ~~on~~ of an elected member of the board, the Governor may fill it by appointment until the next session of the General Assembly. A vacancy of a member appointed by the board must be filled by the board. Members of the board are entitled to subsistence, per diem, and mileage authorized for members of state boards, committees, and commissions.

Each position on the board constitutes a separate office and the seats on the board are numbered consecutively, one corresponding in number to each congressional district and Seats Eight‑Twelve at large. The Governor or his designee occupies Seat Thirteen. Effective July 1, 2012, the member from former Seat Seven is transferred to Seat Eight, the member from former Seat Eight is transferred to Seat Nine, the member from former Seat Nine is transferred to Seat Ten, the member from former Seat Ten is transferred to Seat Eleven, and the member from former Seat Eleven is transferred to Seat Twelve.

The terms of the present members of the board who are elected by the General Assembly expire on the thirtieth day of June of the year in which the terms are scheduled to expire. The General Assembly shall elect successors to the elective trustees not earlier than the first day of April for a term to begin the following July first. Elections to fill vacancies on the board which are caused by the death, resignation, or removal of an elective trustee may be held earlier than the first day of April of the year in which the unexpired term terminates, but the term of the person elected to fill the vacancy expires on the last day of June of the year in which the term of the former member would have expired.

(B) Beginning with members elected to the board during 1992, terms of members are four years. In 1993, members from Seats 1, 2, 3, 4, 5, and 11 must be elected, and the term of the member elected in 1993 from Seat 3 shall be one year, the terms of the members elected in 1993 from Seats 1, 2, and 4 shall be two years each, the term of the member elected in 1993 from Seat 11 shall be three years, and the term of the member elected in 1993 from Seat 5 shall be four years. Thereafter, successors to the members of the board elected in 1993 and successors to members of the board provided six‑year terms by the provisions of this subsection must be elected for terms of four years each.”

SECTION 11. Section 59‑130‑10 of the 1976 Code, as last amended by Act 176 of 2012, is further amended to read:

“Section 59‑130‑10. The Board of Trustees for the College of Charleston is composed of the Governor of the State or his designee, who is an ex officio of the board, and ~~nineteen~~ twenty members, with seventeen of these members elected by the General Assembly, one member appointed from the State at large by the Governor, ~~and~~ one member appointed by the Governor upon recommendation of the College of Charleston Alumni Association, and one member appointed by the board of trustees. The General Assembly shall elect and the Governor shall appoint these members based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the board is representative of all citizens of this State.

Of the seventeen members to be elected, two members must be elected from each congressional district and the remaining three members must be elected by the General Assembly from the State at large.

The term of office of the at‑large trustee appointed by the Governor is effective upon certification to the Secretary of State and is coterminous with the term of the Governor appointing him. He shall serve after his term has expired until his successor is appointed and qualifies. The member appointed by the Governor upon recommendation of the College of Charleston Alumni Association shall serve for a term of four years, beginning on July 1, 2010, until his successor is appointed and qualifies. The member must be a South Carolina resident and hold an undergraduate or graduate degree from the College of Charleston. The member appointed by the board of trustees shall serve for a term of four years, beginning July 1, 2013, and until his successor is appointed and qualifies.

Each position on the board constitutes a separate office and the seats on the board are numbered consecutively as follows: for the First Congressional District, Seats One and Two; for the Second Congressional District, Seats Three and Four; for the Third Congressional District, Seats Five and Six; for the Fourth Congressional District, Seats Seven and Eight; for the Fifth Congressional District, Seats Nine and Ten; for the Sixth Congressional District, Seats Eleven and Twelve; for the Seventh Congressional District, Seats Thirteen and Fourteen; for the at‑large positions elected by the General Assembly, Seats Fifteen, Sixteen, and Seventeen. The member appointed by the Governor shall occupy Seat Eighteen. The member appointed by the Governor upon recommendation of the alumni association shall occupy Seat Nineteen. The member appointed by the board of trustees shall occupy Seat Twenty.

Effective July 1, 1988, the even‑numbered seats of those members elected by the General Assembly must be filled for four‑year terms expiring June 30, 1992. The remaining elective odd‑numbered seats on the board must be filled for two‑year terms beginning July 1, 1988, and expiring June 30, 1990. The trustees for the odd‑numbered seats must then be elected for four‑year terms beginning July 1, 1990, and expiring June 30, 1994. Effective July 1, 2012, the member elected to Seat Thirteen on the board must be elected for two‑year terms beginning July 1, 2012, and expiring June 30, 2014, and the member elected to Seat Fourteen on the board must be elected to fill a four‑year term beginning July 1, 2012, and expiring June 30, 2016. The General Assembly shall hold elections every two years to select successors of the trustees whose four‑year terms are then expiring. Except as otherwise provided in this chapter, no election may be held before April first of the year in which the successor’s term is to commence. The term of office of an elective trustee commences on the first day of July of the year in which the trustee is elected.

If an elective office becomes vacant, the Governor may fill it by appointment until the next session of the General Assembly. The General Assembly shall hold an election at any time during the session to fill the vacancy for the unexpired portion of the term. A vacancy occurring in the appointed office on the board must be filled for the remainder of the unexpired term by appointment in the same manner of the original appointment.”

SECTION 12. Section 59‑133‑10 of the 1976 Code, as last amended by Act 176 of 2012, is further amended to read:

“Section 59‑133‑10. The Board of Trustees for Francis Marion University is composed of the Governor of the State or his designee, who is an ex officio member of the board, and ~~sixteen~~ seventeen members, with fifteen of these members to be elected by the General Assembly ~~and~~, one member to be appointed from the State at large by the Governor, and one member appointed from the State at large by the board of Trustees. The General Assembly shall elect and the Governor and board shall appoint these members based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the board is representative of all citizens of this State.

Of the fifteen members to be elected, one member must be elected from each congressional district and the remaining eight members must be elected by the General Assembly from the State at large.

The term of office of the at‑large trustee appointed by the Governor is effective upon certification to the Secretary of State and is coterminous with the term of the Governor appointing him. He shall serve after his term has expired until his successor is appointed and qualifies. The at‑large member appointed by the board of trustees serves for four years beginning on July 1, 2013, and until his successor is appointed and qualifies.

Each position on the board constitutes a separate office and the seats on the board are numbered consecutively: Seats One through Seven corresponding to the number of each congressional district and Seats Eight through Fifteen to be designated at large. The member appointed by the Governor shall occupy Seat Sixteen. The member appointed by the board shall occupy Seat Seventeen.

Effective July 1, 2012, the member from former Seat One remains in Seat One, the member from former Seat Three is transferred to Seat Twelve, the member from former Seat Five is transferred to Seat Thirteen, the member from former Seat Seven is transferred to Seat Fourteen, the member from former Seat Nine is transferred to Seat Five, the member from former Seat Eleven is transferred to Seat Six, the member from former Seat Thirteen is transferred to Seat Eight, and the member from former Seat Fifteen is transferred to Seat Ten, with these members continuing to serve until their terms expire on June 30, 2014. A member for Seats Two, Three, Four, Seven, Nine, Eleven, and Fifteen must be elected by the General Assembly in 2012 for a term that expires on June 30, 2016. The General Assembly shall hold elections every two years to select successors of the trustees whose four‑year terms are then expiring. Except as otherwise provided in this chapter, no election may be held before April first of the year in which the successor’s term is to commence. The term of office of an elective trustee commences on the first day of July of the year in which the trustee is elected. If an elective office becomes vacant, the Governor may fill it by appointment until the next session of the General Assembly. The General Assembly shall hold an election at any time during the session to fill the vacancy for the unexpired portion of the term. A vacancy occurring in the appointed office on the board must be filled for the remainder of the unexpired term by appointment in the same manner of the original appointment.”

SECTION 13. Section 59‑135‑10 of the 1976 Code, as last amended by Act 176 of 2012, is further amended to read:

“Section 59‑135‑10. The Board of Trustees for Lander University is composed of the Governor of the State or his designee, who is an ex officio of the board, and ~~sixteen~~ seventeen members, with fifteen of these members to be elected by the General Assembly ~~and~~, one member to be appointed from the State at large by the Governor, and one member appointed from the State at large by the board of trustees. The General Assembly shall elect and the Governor and board shall appoint these members based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the board is representative of all citizens of this State.

Of the fifteen members to be elected, one member must be elected from each congressional district and the remaining eight members must be elected by the General Assembly from the State at large.

The term of office of the at‑large trustee appointed by the Governor is effective upon certification to the Secretary of State and is coterminous with the term of the Governor appointing him. He shall serve after his term has expired until his successor is appointed and qualifies. The at‑large member appointed by the board of trustees serves for four years beginning on July 1, 2013, and until his successor is appointed and qualifies.

Each position on the board constitutes a separate office and the seats on the board are numbered consecutively: Seats One through Seven corresponding to the number of each congressional district and Seats Eight through Fifteen to be designated at large. The member appointed by the Governor shall occupy Seat Sixteen. The member appointed by the board shall occupy Seat Seventeen.

Effective July 1, 2012, the member from former Seat One is transferred to Seat Eight, the member from former Seat Three is transferred to Seat Nine, the member from former Seat Five is transferred to Seat Ten, the member from former Seat Seven is transferred to Seat Eleven, the member from former Seat Nine is transferred to Seat Twelve, the member from former Seat Thirteen is to remain in Seat Thirteen, the member from former Seat Fourteen is to remain in Seat Fourteen, and the member from former Seat Fifteen is to remain in Seat Fifteen, with these members continuing to serve until their terms expire on June 30, 2014. The member from former Seat Eleven is transferred to Seat Six with a term that expires on June 30, 2016. A member for Seats One, Two, Three, Four, Five, and Seven must be elected by the General Assembly in 2012 for a term that expires on June 30, 2016. The General Assembly shall hold elections every two years to select successors of the trustees whose four‑year terms are then expiring. Except as otherwise provided in this chapter, no election may be held before April first of the year in which the successor’s term is to commence. The term of office of an elective trustee commences on the first day of July of the year in which the trustee is elected.

If an elective office becomes vacant, the Governor may fill it by appointment until the next session of the General Assembly. The General Assembly shall hold an election at any time during the session to fill the vacancy for the unexpired portion of the term. A vacancy occurring in the appointed office on the board must be filled for the remainder of the unexpired term by appointment in the same manner of the original appointment.”

SECTION 14. Section 59‑136‑110 of the 1976 Code, as last amended by Act 176 of 2012, is further amended to read:

“Section 59‑136‑110. The Board of Trustees for Coastal Carolina University is composed of the Governor of the State or his designee, who is an ex officio member of the board, and ~~sixteen~~ seventeen members, with fifteen of these members to be elected by the General Assembly ~~and~~, one member to be appointed from the State at large by the Governor, and one member appointed from the State at large by the board of trustees. The General Assembly shall elect and the Governor and board shall appoint these members based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the board is representative of all citizens of this State.

Of the fifteen members to be elected by the General Assembly, one member must be elected from each congressional district and the remaining eight members must be elected from the State at large.

The term of office of the at‑large trustee appointed by the Governor is effective upon certification to the Secretary of State and is coterminous with the term of the Governor appointing him. The at‑large member must serve a four‑year term beginning July 1, 2013, and until his successor is appointed and qualifies.

Each position on the board constitutes a separate office and the seats on the board are numbered consecutively: Seats One through Seven corresponding to the number of each congressional district and Seats Eight through Fifteen to be designated at large. The member appointed by the Governor shall occupy Seat Sixteen. The member appointed by the board shall occupy Seat Seventeen.

The General Assembly shall elect those members of the board of trustees it elects during its 1993 Session. Members initially elected from Seats One, Three, Five, Seven, Nine, Eleven, Thirteen, and Fifteen shall be elected for two‑year terms and members initially elected from Seats Two, Four, Six, Eight, Ten, Twelve, and Fourteen shall be elected for four‑year terms. Thereafter, their successors shall each be elected for four‑year terms.

Effective July 1, 2012, the member from former Seat Two is transferred to Seat Twelve, the member from former Seat Three is transferred to Seat Two, the member from former Seat Four is transferred to Seat Fifteen, the member from former Seat Five is transferred to Seat Thirteen, the member from former Seat Six is transferred to Seat Three, the member from former Seat Seven is transferred to Seat Eleven, the member from former Seat Eight is transferred to Seat Four, the member from former Seat Nine is transferred to Seat Ten, the member from former Seat Ten is transferred to Seat Five, the member from former Seat Eleven is transferred to Seat Eight, the member from former Seat Twelve is transferred to Seat Seven, the member from former Seat Thirteen is transferred to Seat Nine, and the member from former Seat Fifteen is transferred to Seat Fourteen.

The General Assembly shall hold elections every two years to select successors of the trustees whose terms are expiring in that year. Except as otherwise provided in this chapter, no election may be held before April first of the year in which the successor’s term is to commence. The term of office of an elective trustee commences on the first day of July of the year in which the trustee is elected and all members shall serve until their successors are elected or appointed and qualify.

If an elective office becomes vacant, the Governor may fill it by appointment until the next session of the General Assembly. The General Assembly shall hold an election at any time during the session to fill the vacancy for the unexpired portion of the term. A vacancy occurring in the appointed office on the board must be filled for the remainder of the unexpired term by appointment in the same manner of the original appointment.”

SECTION 15. This act takes effect upon approval by the Governor.

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