**South Carolina General Assembly**

124th Session, 2021-2022

**A110, R12, H3740**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. McGarry

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Introduced in the House on January 27, 2021

Introduced in the Senate on February 3, 2021

Passed by the General Assembly on February 19, 2021

Governor's Action: March 15, 2021, Signed

Summary: Lancaster County Commission for Higher Education

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/27/2021 House Introduced, read first time, placed on calendar without reference ([House Journal‑page 56](file:///h:\hj\20210127.docx))

2/2/2021 House Read second time ([House Journal‑page 17](file:///h:\hj\20210202.docx))

2/2/2021 House Roll call Yeas‑100 Nays‑0 ([House Journal‑page 17](file:///h:\hj\20210202.docx))

2/3/2021 House Read third time and sent to Senate ([House Journal‑page 10](file:///h:\hj\20210203.docx))

2/3/2021 Senate Introduced, read first time, placed on local & uncontested calendar ([Senate Journal‑page 39](file:///h:\sj\20210203.docx))

2/18/2021 Senate Read second time ([Senate Journal‑page 11](file:///h:\sj\20210218.docx))

2/18/2021 Senate Unanimous consent for third reading on next legislative day ([Senate Journal‑page 11](file:///h:\sj\20210218.docx))

2/19/2021 Senate Read third time and enrolled ([Senate Journal‑page 2](file:///h:\sj\20210219.docx))

3/11/2021 Ratified R 12

3/15/2021 Signed By Governor

3/17/2021 Effective date 03/15/21

7/2/2021 Act No.  110

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**VERSIONS OF THIS BILL**

[1/27/2021](file:///p:\pprever\2021-22\3740_20210127.docx)

[1/27/2021-A](file:///p:\pprever\2021-22\3740_20210127A.docx)

[2/3/2021](file:///p:\pprever\2021-22\3740_20210203.docx)

(A110, R12, H3740)

**AN ACT TO AMEND ACT 126 OF 1959, AS AMENDED, RELATING TO THE LANCASTER COUNTY COMMISSION FOR HIGHER EDUCATION, SO AS TO PROVIDE FOR THE COMMISSION’S RECEIPT AND ADMINISTRATION OF LANCASTER COUNTY MILLAGE‑DERIVED FUNDS, TO PROVIDE THAT THE DEAN OF THE UNIVERSITY OF SOUTH CAROLINA LANCASTER MUST BE AN EX OFFICIO MEMBER OF THE COMMISSION, TO CLARIFY THE COMMISSION’S ROLE RELATING TO THE OFFERING OF POST‑SECONDARY COURSES; TO REMOVE CERTAIN ARCHAIC LANGUAGE; AND TO REQUIRE THE COMMISSION TO SUBMIT AN ANNUAL REPORT TO LANCASTER COUNTY COUNCIL.**

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

**Lancaster County Commission for Higher Education funding**

SECTION 1. Act 126 of 1959, as last amended by Act 614 of 1980, is further amended by adding an appropriately numbered SECTION at the end to read:

“SECTION 8. After the effective date of this section, all existing and future Lancaster County millage‑derived funds received by the commission must be set aside and used exclusively for the benefit of the University of South Carolina Lancaster. Other institutions seeking a disbursement from these funds shall submit their requests directly to Lancaster County Council or to another funding source. If the commission receives Lancaster County millage‑derived funds after the effective date of this section that are designated for use by an institution other than the University of South Carolina Lancaster, the commission shall segregate and administer these funds accordingly.”

**Ex officio member added to commission**

SECTION 2. The first and second paragraphs of SECTION 1 of Act 126 of 1959 are amended to read:

“SECTION 1. There is hereby created the Lancaster County Commission for Higher Education. This body, hereinafter called the commission, shall be composed of seven members who shall be appointed by the Governor on the recommendation of a majority of the Lancaster County Legislative Delegation. The commissioners shall be appointed for terms of four years each and shall serve until their successors shall have been appointed and qualify; provided, that three of the seven commissioners initially appointed shall be appointed for a term of two years, with their successors to be appointed thereafter for full four‑year terms.

The Superintendent of Education for Lancaster County shall, by virtue of his office, be an ex officio member of the commission. The Dean of the University of South Carolina Lancaster Campus, by virtue of his office, must be an ex officio member of the commission.”

**Purpose of commission**

SECTION 3. SECTION 3 of Act 126 of 1959, as last amended by Act 16 of 1975, is further amended to read:

“SECTION 3. The commission shall have as its purpose the encouragement of higher education in Lancaster County and nearby areas and, more specifically, the establishment in Lancaster County of facilities to offer standard post‑secondary courses, and such other courses as deemed desirable.

The commission also shall furnish and operate recreational facilities and programs in conjunction with its other purposes and shall make such facilities available to the general public.”

**Powers of commission**

SECTION 4. SECTION 4 of Act 126 of 1959, as last amended by Act 614 of 1980, is further amended to read:

“SECTION 4. To carry out this purpose and objective the commission, with the approval of a majority of its members, shall be empowered to enter into contracts, make binding agreements, purchase and sell real property, negotiate with educators and educational institutions and, generally, to take such actions in its name as are necessary to secure for Lancaster County and nearby areas the educational facilities above described; provided, that the County of Lancaster shall not be bound nor held liable for any acts of omission or commission of the Commission, nor by any provision of any contract or agreement, expressed or implied, except upon the written approval and consent of a majority of the Lancaster County Legislative Delegation.

The commission may solicit funds and accept donations from various sources which it may expend in carrying out its objective.

The commission is authorized to enter into agreements for public grants, local, state, and federal.”

**Annual written report**

SECTION 5. SECTION 5 of Act 126 of 1959 is amended to read:

“SECTION 5. The commission shall keep accurate and detailed records of its meetings and actions and shall, as soon after June thirtieth of each year as is feasible, submit a written report to the Lancaster County Council, which shall include an accounting of all funds the commission may have received and disbursed in the twelve months preceding that date.”

**Time effective**

SECTION 6. This act takes effect upon approval by the Governor.

Ratified the 11th day of March, 2021.

Approved the 15th day of March, 2021.

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