**South Carolina General Assembly**

118th Session, 2009-2010

**A98, R1, S234**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Rose

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Introduced in the Senate on January 13, 2009

Introduced in the House on January 27, 2009

Passed by the General Assembly on February 4, 2009

Became law without Governor's signature, February 26, 2009

Summary: Dorchester County

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/13/2009 Senate Introduced, read first time, placed on local & uncontested calendar [SJ](file:///h:\SJ%20Archive\2009\01-13-09.docx)‑190

1/14/2009 Scrivener's error corrected

1/14/2009 Senate Read second time [SJ](file:///h:\SJ%20Archive\2009\01-14-09.docx)‑9

1/15/2009 Senate Read third time and sent to House [SJ](file:///h:\SJ%20Archive\2009\01-15-09.docx)‑21

1/27/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\01-27-09.docx)‑20

1/27/2009 House Referred to **Dorchester Delegation** [HJ](file:///h:\HJ%20Archive\2009\01-27-09.docx)‑20

1/29/2009 House Delegation report: Favorable **Dorchester Delegation** [HJ](file:///h:\HJ%20Archive\2009\01-29-09.docx)‑2

2/3/2009 House Read second time [HJ](file:///h:\HJ%20Archive\2009\02-03-09.docx)‑20

2/4/2009 House Read third time and enrolled [HJ](file:///h:\HJ%20Archive\2009\02-04-09.docx)‑23

2/19/2009 Ratified R 1

2/26/2009 Became law without Governor's signature

3/9/2009 Effective date 02/26/2009

7/21/2009 Act No. 98

**VERSIONS OF THIS BILL**

[1/13/2009](file:///p:\pprever\2009-10\234_20090113.docx)

[1/13/2009-A](file:///p:\pprever\2009-10\234_20090113A.docx)

[1/14/2009](file:///p:\pprever\2009-10\234_20090114.docx)

[1/29/2009](file:///p:\pprever\2009-10\234_20090129.docx)

(A98, R1, S234)

**AN ACT TO REQUIRE THE SUPERINTENDENT OF DORCHESTER COUNTY SCHOOL DISTRICT NUMBER TWO TO PREPARE AND SUBMIT TO THE COUNTY AND THE MUNICIPALITIES WITHIN DORCHESTER COUNTY SCHOOL DISTRICT NUMBER TWO AN ANNUAL REPORT DETAILING INFORMATION REGARDING THE IMPACT OF DEVELOPMENT ON SCHOOLS WITHIN THE DISTRICT, TO REQUIRE THE SUPERINTENDENT TO REQUEST FROM THE COUNTY AND ALL MUNICIPALITIES WITH LAND ENCOMPASSED BY THE DISTRICT APPLICATIONS AND ACCOMPANYING RESIDENTIAL HOUSING MATERIALS FOR LAND DEVELOPMENT PROJECTS THAT MEET CERTAIN CRITERIA, TO REQUIRE THE SUPERINTENDENT AND THE BOARD OF TRUSTEES TO DETERMINE WHETHER A PARTICULAR PROJECT WILL RESULT IN A SUBSTANTIAL IMPACT ON THE DISTRICT’S ABILITY TO PROVIDE SERVICES TO THE ADDITIONAL STUDENT POPULATION AND TO PREPARE AND SUBMIT A REPORT TO THE COUNTY AND ALL MUNICIPALITIES WITHIN THE DISTRICT DETAILING THE IMPACT AND NEED FOR ADDITIONAL RESOURCES.**

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

**Superintendent report, needs of district and impact of growth on district**

SECTION 1. (A) At the beginning of each fiscal year of Dorchester County School District Number Two, the superintendent of the district shall prepare and submit and obtain proof of delivery to the governing body and to the land planning commission of the county and each municipality with land encompassed by the district a report describing the current and projected status and needs of the district. This report will include, but not be limited to, the following:

(1) a list of all schools in the district with the number of classrooms, current enrollment, and the enrollment capacity of each school and of the entire district;

(2) the district’s student enrollment over the previous ten years and projected enrollment over the next ten years;

(3) the district’s capital improvement program, including all schools existing, under construction, or planned and plans for funding those schools;

(4) current and projected construction costs for new schools and the cost of mobile classrooms, the causes of any cost increases over previous estimates, and the sources for the information;

(5) the most recent five‑year history of the audited operating and capital expenditures of the district;

(6) the most recent five‑year history of the county assessed tax base used for financing purposes in the district;

(7) identification of federal, state, and local laws or regulations which the district recommends be repealed or relaxed to save costs and increase efficiency for the district and an explanation of how the savings and increased efficiency could occur;

(8) a list of additional facilities, teachers, and other resources projected to be necessary to service the additional student population of the district over the next ten years; and

(9) all other information and recommendations by the district regarding how county or municipal governments could help the district better meet its needs and the needs of its students.

(B) The superintendent shall on a quarterly basis request in writing from the governing body and from the local planning commissions of each county and municipality with land encompassed by the district a copy of all land development applications and accompanying materials involving residential housing:

(1) that are greater than twenty‑five acres in size; or

(2) with an anticipated residential population density equal to or greater than the average residential density of all land developments within the boundaries of the district, or both. The superintendent shall request that the applications and materials be provided to the district within ten days after receipt of the applications and materials by a local planning commission or governing body.

The superintendent and the planning commissions may agree that the information is to be provided electronically or by some other suitable means and that the request is considered ongoing and the information will be provided automatically whenever any residential land development application is received that meets these criteria.

(C) The superintendent shall review all applications for land development projects described in subsection (B) and report the results of that review to the board of trustees. The superintendent and the board both will determine whether the additional anticipated increase in student population resulting from the land development project will have a substantial impact on the district’s ability to provide services to the additional student population. If either determination is positive, the superintendent and the board shall prepare a report that describes the impact and details the need for additional facilities, teachers, and other resources necessary to service the additional student population, and provide in that report current updated information regarding the subjects described in subsection (A). In determining whether a particular project may result in a substantial impact, the superintendent and the board shall consider not only the impact of the particular project but also the aggregate impact of the project with other projects pending at the time the superintendent conducts his review. The report must be provided, within thirty days of the district’s receipt of the application, to the applicable county or municipal governing body and local planning commission. The report must be maintained as part of the land development application and made available to the public.

**Time effective**

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

Ratified the 19th day of February, 2009.

Became law without the signature of the Governor -- 2/26/09.

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