**South Carolina General Assembly**

120th Session, 2013-2014

**H. 3445**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Govan, J.E. Smith, Mack, Mitchell and Williams

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Introduced in the House on January 29, 2013

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

Summary: South Carolina State University

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/29/2013 House Introduced and read first time ([House Journal‑page 32](file:///h:\HJ%20Archive\2013\01-29-13.docx))

1/29/2013 House Referred to Committee on **Education and Public Works** ([House Journal‑page 32](file:///h:\HJ%20Archive\2013\01-29-13.docx))

**VERSIONS OF THIS BILL**

[1/29/2013](file:///p:\pprever\2013-14\3445_20130129.docx)

**A** **BILL**

TO AMEND SECTION 59‑127‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY, SO AS TO REVISE THE NUMBER OF BOARD MEMBERS AND THE MANNER IN WHICH THEY ARE ELECTED TO ACCOUNT FOR THE NEW SEVENTH CONGRESSIONAL DISTRICT, THE ELIMINATION OF THREE AT‑LARGE SEATS, THE ADDITION OF A SEAT HELD BY AN ALUMNI OF THE UNIVERSITY WHO IS ELECTED BY THE SOUTH CAROLINA STATE NATIONAL ALUMNI ASSOCIATION OR ITS SUCCESSOR, AND TO REVISE OTHER PROVISIONS RELATING TO TERMS OF BOARD MEMBERS.

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

SECTION 1. 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)(1) South Carolina State University is managed and controlled by a board of trustees, composed of ~~thirteen~~ eleven members, ~~twelve~~ nine of whom are elected by the General Assembly, one member from each congressional district and ~~five~~ two at large for terms of four years each and until their successors are elected and qualify. A graduate of South Carolina State University, elected at large by secret ballot by the members of the South Carolina State University National Alumni Association, or its successor, is the tenth member of the board of trustees. 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 Governor of the State or his designee is ex officio, the ~~thirteenth~~ eleventh member of the board of trustees. In case of a vacancy on the board, the Governor may fill it by appointment until the next session of the General Assembly, except that a vacancy provided in subsection (B) does not constitute a vacancy pursuant to this provision. Members of the board are entitled to subsistence, per diem, and mileage authorized for members of state boards, committees, and commissions.

(2) 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~~ Eight and Nine at large. Seat Ten is occupied by the person elected by the South Carolina State University National Alumni Association pursuant to item (1). The Governor or his designee occupies Seat ~~Thirteen~~ Eleven. ~~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.~~

(3) Except as provided in subsection (B), ~~The~~ 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.~~

(B)(1) The terms of the persons serving on former Seats Eleven and Twelve ended on June 30, 2012 as provided by law in effect at that time.

(2) On the effective date of this article, the terms of the persons serving on Seat Eight and Seat Ten end.

(3) The person:

(a) serving on the former Seat Nine is transferred to Seat Eight;

(b) serving on the former Seat Eleven is transferred to Seat Nine;

(c) serving on the former Seat Twelve is transferred to Seat Ten; and

(d) serving on the former Seat Thirteen is transferred to Seat Eleven, and Seat Eleven must be the seat on which the Governor or his designee serves.

(4) The terms of persons serving on former Seats Five and Six end on June 30, 2013. In 2013, the General Assembly shall elect persons from the State at large to serve on Seats Five, Six, and Eight for terms of four years to begin on July 1, 2013. Pursuant to subsection (A), the South Carolina State National Alumni Association shall elect by secret ballot a graduate to serve on Seat Ten, on or before July 30, 2013.

(5) As of June 30, 2014, the terms of the persons serving on former Seats Three, Seven, and Nine end. In 2014, the General Assembly shall elect persons from the State at large to serve on Seats Three, Seven, and Nine for terms of four years to begin on July 1, 2014.

(6) As of June 30, 2015, the terms of the persons serving on former Seats One, Two, and Four end. The General Assembly shall elect in 2015 from the State at large the persons to serve on Seats One, Two, and Four for terms of four years to begin on July 1, 2015.”

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

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