~~Indicates Matter Stricken~~

Indicates New Matter

AMENDED

May 31, 2016

**H. 5279**

Introduced by Reps. Stavrinakis, McCoy, Merrill, Sottile, Daning, Gilliard, Limehouse, Crosby, Tinkler, Whipper and R.L. Brown

L. Printed 5/31/16--S.

Read the first time April 28, 2016.

**A** **BILL**

TO AMEND ACT 340 OF 1967, AS AMENDED, RELATING TO THE CHARLESTON COUNTY SCHOOL DISTRICT, SO AS TO REVISE PROCEDURES CONCERNING THE ANNUAL DISTRICT BUDGET BY PROVIDING THE SCHOOL BOARD SHALL OBTAIN CERTIFICATION OF PROPERTY TAX REVENUE EXPECTED FOR THE BUDGET FROM THE COUNTY AUDITOR BEFORE THE BOARD MAY GIVE THE BUDGET SECOND READING, TO PROVIDE THAT WITHIN SIXTY DAYS FOLLOWING ENACTMENT OF THE ANNUAL STATE BUDGET, THE BOARD SHALL REVIEW AND, IF NEEDED TO AVOID OPERATING WITH A DEFICIT, AMEND THE ANNUAL DISTRICT BUDGET TO REFLECT FUNDS ACTUALLY APPROPRIATED BY THE GENERAL ASSEMBLY, TO PROVIDE THAT BEFORE JANUARY FIRST ANNUALLY THE BOARD SHALL REVIEW THE STATUS OF ITS FISCAL YEAR REVENUES AND EXPENDITURES TO DETERMINE THE EXTENT TO WHICH, IF ANY, THE DISTRICT IS OPERATING WITH A DEFICIT, AND TO PROVIDE IF THE DISTRICT DETERMINES THAT IT IS OPERATING WITH A DEFICIT, IT MUST AMEND ITS BUDGET TO ELIMINATE THE DEFICIT WITHIN SIXTY DAYS.

Amend Title To Conform

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

SECTION 1. Section 10 of Act 340 of 1967, as last amended by Act 1602 of 1972, is further amended to read:

“Section 10. (A) The Board of Trustees of the Charleston School District shall prepare and submit to the Charleston County Legislative Delegation, as information, on or before the fifteenth day of August of each year beginning in 1968, a proposed budget for the ensuing school year. Before the board may give its proposed annual district budget second reading, it first shall obtain from the county auditor certification of property tax revenue that the district is expected to receive for the budget. Within sixty days following enactment of the annual state budget, the board shall review and, if needed for the district to avoid operating with a deficit, amend the annual district budget to reflect funds actually appropriated by the General Assembly. Before January first annually, the board shall review the status of its fiscal year revenues and expenditures to determine the extent to which, if any, the district is operating with a deficit. If the district determines that it is operating with a deficit, it must amend its budget to eliminate the deficit and maintain a balanced budget within sixty days.

(B) In order to obtain funds for school purposes, the board is authorized to impose an annual tax levy, commencing in 1968, not to exceed ninety mills, exclusive of any millage imposed for bond debt service. In the event the board determines that the annual tax levy should exceed ninety mills, the board shall hold a public hearing on the question at least two weeks prior to submitting such request to the legislative delegation. Notice of such public hearing shall be advertised in a newspaper of general circulation in the county, and shall state the date, time, and place of the hearing as well as a clearly worded statement of the requested annual tax levy. Upon certification by the board to the county auditor of the tax levy to be imposed, the auditor shall levy and the county treasurer shall collect the millage so certified upon all taxable property in the district.”

SECTION 2. Prior to any vote by the Charleston School District on the closure of any school in the District, the Board of Trustees of the Charleston School District must hold a public hearing on the proposed school closure at the school under consideration for closure. At this public hearing the Board of Trustees must provide its reasons for proposing the school closure and must allow for public input into the proposed school closure.

SECTION 3. If any section, subsection, item, subitem, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, item, subitem, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, items, subitems, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑