**A** **BILL**

TO AMEND SECTION 5 OF ACT 184 OF 2020, RELATING TO THE CONSOLIDATION OF THE HAMPTON COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE FOR THE MANNER IN WHICH THE DISTRICT RECEIVES FUNDS, AND TO VEST THE DISTRICT WITH TOTAL FISCAL AUTONOMY IN 2025.

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

SECTION 1. Section 5 of Act 184 of 2020 is amended to read:

“SECTION 5. (A)(1) For purposes of determining the 2021 property tax millage levy of the Hampton County School District upon its creation, the millage levy for the district must be determined and calculated by the Department of Revenue based on the 2020 levy of the two present school districts and the value of a mill in each district. Thereafter, the millage levy for the years 2022, 2023, and 2024 must be the millage levy for the previous year. To the allowed millage levy for years 2021, 2022, 2023, and 2024 may be added any millage determined by the county governing body necessary to comply with educational mandates imposed by federal or state law.

(2) The provisions of this subsection apply for school millages set for years 2022, 2023, and 2024.

(3) During the period set forth in this subsection and thereafter, any state or federal funds allocated or to be allocated to Hampton County School District No. 1, Hampton County School District No. 2, or the consolidated Hampton County School District must be deposited in the account of the consolidated district without the use of another fiscal agent. This item takes effect July 1, 2021.

(B) Beginning in 2025, Hampton County School District is vested with total fiscal autonomy. In order to obtain funds for school purposes the board of trustees is authorized to impose an annual tax levy ~~upon approval of the county governing body~~, exclusive of any millage imposed for bond debt service. Upon certification by the board of trustees 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. ~~Upon approval of the county governing body,~~ The consolidated school district may raise its millage by no more than two mills over that levied for the previous year, in addition to any millage needed to adjust for the EFA inflation factor and sufficient to meet the requirements of Section 59‑21‑1030. An increase above this two mills for operations may be levied only after a majority of the registered electors of the district vote in favor of the millage increase in a referendum called by the ~~county governing body~~ board of trustees and conducted by the county election commission at the same time as the general election. To the extent the provisions of this section relating to increases in school millages conflict with the provisions of Section 6‑1‑320, relating to the millage rate increase limitation, the provisions of Section 6‑1‑320 control.”

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

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