**A** **BILL**

TO AMEND SECTIONS 1, 2, AND 3 OF ACT 518 OF 1982, AS LAST AMENDED BY ACT 408 OF 2012, RELATING TO THE COMPOSITION OF THE BERKELEY COUNTY SCHOOL DISTRICT BOARD OF EDUCATION, TO PROVIDE THAT EIGHT BOARD MEMBERS SHALL BE ELECTED IN NON-PARTISAN ELECTIONS FROM SINGLE‑MEMBER DISTRICTS IN WHICH THEY ARE RESIDENTS, COTERMINOUS WITH COUNTY COUNCIL DISTRICTS AND SHARING THE CORRESPONDING DISTRICT NUMBERS; TO PROVIDE THAT ONE MEMBER SHALL BE ELECTED FROM THE COUNTY AT-LARGE; TO STAGGER TERMS OF OFFICE; AND TO REPEAL SECTION 3A OF ACT 518 OF 1982, AS LAST AMENDED BY ACT 296 OF 2012, RELATED TO APPORTIONING NINE SINGLE MEMBER SCHOOL BOARD DISTRICTS IN THE COUNTY.

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

SECTION 1. SECTION 3A of Act 518 of 1982, as last amended by Act 296 of 2012, is repealed.

SECTION 2. SECTIONS 1, 2, and 3 of Act 518 of 1982, as last amended by Act 408 of 2002, are amended to read:

“Section 1. The governing body of the School District of Berkeley County shall be a nine-member board known as the Berkeley County Board of Education. Eight board members shall be elected from single‑member districts in which they are residents, coterminous with county council districts and sharing the corresponding district numbers, updated consistently with the county council districts thereafter when county council districts change. One member shall be elected from the county at-large. The board shall elect from among its members one person to serve as chairman for a term of one year, provided that no chairman is eligible to serve more than two consecutive terms. ~~The board shall consist of nine members who beginning with the 2002 election must be elected in the manner hereinafter specified in this act. The present members of the Berkeley County Board of Education shall continue to serve until the time specified in Section 2, at which time the members of the board elected in the manner provided for in this act shall take office. The county superintendent of education shall be appointed by the board.~~

Section 2. (A) Except as otherwise provided herein, the members of the board must be elected in a nonpartisan election to be held at the same time as the general election for terms of four years. However, at ~~At~~ the ~~2002~~ 2022 election~~,~~:

(1) ~~successors to the current~~ members ~~residing~~ elected in Districts 2, 4, 6, and 8 ~~whose terms expire in~~ ~~2002~~ shall be elected for four‑year terms~~.~~;

(2) ~~At the 2002 election, a~~ the member elected from the county at-large shall ~~also~~ be elected ~~from District 9~~ for a two‑year term; and ~~then at the 2004 election for a four‑year term.~~

(3) ~~At the 2004 election, successors to the current~~ members ~~residing~~ elected in Districts 1, 3, 5, and 7~~, whose terms expire in 2004,~~ shall be elected for ~~four‑year terms~~ two-year terms.

(B) ~~Successors to these members must be elected in a nonpartisan election to be held at the same time as the general election every four years thereafter~~. All members of the board shall serve until their successors are elected and qualify. Notwithstanding any other provision of law, members shall take office at the first meeting of the board following certification of the election. At any election the candidate receiving the highest number of votes shall be deemed elected.

(C) A vacancy occurring for any reason other than expiration of a term must be filled by special election for the unexpired portion of the term as provided in Section 7‑13‑190. ~~The board shall elect from among its members one person to serve as chairman for a term of one year, provided that no chairman is eligible to serve more than two consecutive terms.~~

(D) The county superintendent of education shall be appointed by the board. The county superintendent of education ~~appointed by the board~~ shall not be a member of the board.

~~Section 3.~~ ~~For the purpose of electing members of the Berkeley County Board of Education, the School District of Berkeley County is hereby divided into nine single‑member election districts as enumerated in Section 3A of this act.~~”

SECTION 3. This act takes effect upon approval by the Governor.

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