**South Carolina General Assembly**

125th Session, 2023-2024

**A112, R112, S245**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Kimbrell and Hembree

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Introduced in the Senate on January 10, 2023

Introduced in the House on March 7, 2023

Last Amended on February 7, 2024

Currently residing in the Senate

Governor's Action: March 11, 2024, Signed

Summary: Booster Clubs

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 11/30/2022 Senate Prefiled

 11/30/2022 Senate Referred to Committee on **Education**

 1/10/2023 Senate Introduced and read first time (Senate Journal‑page 125)

 1/10/2023 Senate Referred to Committee on **Education** (Senate Journal‑page 125)

 2/9/2023 Scrivener's error corrected

 2/22/2023 Senate Committee report: Favorable with amendment **Education** (Senate Journal‑page 12)

 2/28/2023 Senate Committee Amendment Adopted (Senate Journal‑page 28)

 2/28/2023 Senate Read second time (Senate Journal‑page 28)

 3/1/2023 Senate Amended (Senate Journal‑page 10)

 3/2/2023 Scrivener's error corrected

 3/2/2023 Senate Read third time and sent to House (Senate Journal‑page 18)

 3/2/2023 Senate Roll call Ayes-38 Nays-0 (Senate Journal‑page 18)

 3/7/2023 House Introduced and read first time (House Journal‑page 14)

 3/7/2023 House Referred to Committee on **Education and Public Works** (House Journal‑page 14)

 1/24/2024 House Committee report: Favorable with amendment **Education and Public Works** (House Journal‑page 8)

 1/30/2024 House Debate adjourned (House Journal‑page 33)

 2/6/2024 House Debate adjourned (House Journal‑page 19)

 2/7/2024 House Amended (House Journal‑page 16)

 2/7/2024 House Read second time (House Journal‑page 16)

 2/7/2024 House Roll call Yeas-111 Nays-0 (House Journal‑page 17)

 2/8/2024 House Read third time and returned to Senate with amendments (House Journal‑page 9)

 2/14/2024 Senate Concurred in House amendment and enrolled (Senate Journal‑page 29)

 2/14/2024 Senate Roll call Ayes-45 Nays-0 (Senate Journal‑page 29)

 3/7/2024 Ratified R 112

 3/11/2024 Signed By Governor

 3/14/2024 Effective date 03/11/24

 3/14/2024 Act No. 112

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**VERSIONS OF THIS BILL**

[12/02/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/245_20221202.docx)

[02/09/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/245_20230209.docx)

[02/22/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/245_20230222.docx)

[02/28/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/245_20230228.docx)

[03/01/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/245_20230301.docx)

[03/02/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/245_20230302.docx)

[03/02/2023-A](https://www.scstatehouse.gov/sess125_2023-2024/prever/245_20230302a.docx)

[01/24/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/245_20240124.docx)

[02/07/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/245_20240207.docx)

(A112, R112, S245)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-17-170 SO AS TO PROHIBIT PERSONS WITH CERTAIN CRIMINAL CONVICTIONS FROM SERVING AS PUBLIC SCHOOL BOOSTER CLUB FINANCIAL OFFICERS, TO PROVIDE SUCH BOOSTER CLUBS ANNUALLY SHALL REGISTER WITH THE SCHOOL DISTRICT BOARD OR CHARTER SCHOOL AUTHORIZER OF ITS SCHOOL, AND TO PROVIDED RELATED POWERS AND DUTIES OF SCHOOL DISTRICT BOARDS AND CHARTER SCHOOL AUTHORIZERS.

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

Definitions, booster club duties, school board and charter authorizer powers and duties

SECTION 1. Chapter 17, Title 59 of the S.C. Code is amended by adding:

 Section 59‑17‑170. (A) For the purposes of this section:

 (1) “Booster club” means a parent‑led organization, not directly controlled by a school or school district, that is formed with the primary purpose of raising funds for the school, school district programs, interscholastic athletics, or afterschool activities.

 (2) “Financial officer” means a person or persons who maintain custody of a booster club’s financial records and/or who has signatory authority on all of the booster club’s transactions, accounts, contracts, checks, or other instruments or undertakings of any kind.

 (B)(1) A person who was convicted of, or pled guilty or nolo contendere to, a felony, a violation of Chapter 13 of Title 16, or a violation of Chapter 14 of Title 16 is prohibited from serving as a financial officer of a booster club.

 (2) A financial officer who was convicted of, or who pled guilty or nolo contendere to, a crime identified in item (1) must immediately resign, and a new person must be assigned to that role within the booster club. A booster club is prohibited from disbursing funds for any purpose until a new person is designated as the financial officer.

 (C)(1) Each booster club within a school district or affiliated with a charter school must annually register with the school district board of trustees or charter school authorizer no later than August first. The registration shall include the name of the booster club, its purpose, the name of each of the booster club’s officers, including its designated financial officer, and other information required by the school district board of trustees or charter school authorizer. A booster club may be required by the school district board of trustees or charter school authorizer to submit an accounting compilation or review. A school district board of trustees or charter school authorizer may not require an external audit from a booster club except for a finding of specific cause determined by a majority vote of the board members or other governing body.

 (2) A booster club that fails to register by August first is prohibited from disbursing any funds for any purpose until registration has been completed.

 (D) Upon the receipt of a booster club’s registration, a school district board of trustees or charter school authorizer may request a state criminal records check, including fingerprints, from the South Carolina Law Enforcement Division of the financial officer. The school district board of trustees or charter school authorizer shall immediately notify a booster club if the criminal records check reveals that its financial officer is prohibited from serving in that role for the booster club pursuant to subsection (B).

Time effective

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

Ratified the 7th day of March, 2024.

Approved the 11th day of March, 2024.

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