

**South Carolina General Assembly**  
122nd Session, 2017-2018

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**Bill 353**

~~Indicates Matter Stricken~~

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AMENDED

May 4, 2017

**S. 353**

Introduced by Senator Massey

S. Printed 5/4/17--H. [SEC 5/5/17 2:47 PM]

Read the first time February 9, 2017.

**A BILL**

TO AMEND ACT 516 OF 1976, RELATING TO THE ELECTION OF COMMISSIONERS OF THE BATH, LANGLEY, AND CLEARWATER WATER AND SEWER DISTRICTS IN AIKEN COUNTY, TO CHANGE THE COMMENCEMENT OF EACH COMMISSIONER'S OFFICE TO JANUARY FIRST IN THE YEAR FOLLOWING THE COMMISSIONER'S ELECTION AND TO CHANGE THE TERM EXPIRATION DATE TO DECEMBER 31 OF EACH EVEN-NUMBERED YEAR; AND TO AMEND ACT 1006 OF 1958, RELATING TO THE ELECTION OF COMMISSIONERS OF THE BATH, LANGLEY, AND CLEARWATER WATER AND SEWER DISTRICTS IN AIKEN COUNTY, TO CHANGE THE COMMENCEMENT OF EACH COMMISSIONER'S TERM TO JANUARY FIRST IN THE YEAR FOLLOWING THE COMMISSIONER'S ELECTION AND TO CHANGE THE TERM EXPIRATION DATE TO DECEMBER 31 OF EACH EVEN-NUMBERED YEAR, TO CHANGE THE ELECTION DATE FOR COMMISSIONERS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER, AND TO CHANGE THE FILING PROCEDURE FOR COMMISSION CANDIDATES SO AS TO REQUIRE THEM TO FILE AN INTENTION OF CANDIDACY WITH THE AIKEN COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS AND TO SET A FILING DEADLINE.

Amend Title To Conform

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

SECTION 1. Section 1 of Act 516 of 1976 is amended to read:

"Section 59-627. (1) Notwithstanding the provisions of Article 1 of this chapter, the terms of all commissioners elected for the Langley Water and Sewer District, the Bath Water and Sewer District and the Clearwater Water and Sewer District shall commence on July January first of the year ~~in which~~ after such commissioners are elected and extend for a term of six years, the terms being so staggered that the term of one commissioner for each district shall expire on ~~June thirtieth~~ December thirty-first of each even-numbered year, and

(2) Notwithstanding the provisions of Article 1 of this chapter, in the event of a vacancy on the commissions of any of the above districts, it shall be filled for the remainder of the unexpired term by appointment of the Governor upon the recommendation of a majority of the members of the Aiken County Legislative Delegation."

SECTION 2. Section 1 of Act 1006 of 1958 is amended to read:

"SECTION 1. Notwithstanding the provisions of Chapter 4, of Title 59, Code of Laws of South Carolina, 1952, the terms of all commissioners elected for the Langley Water and Sewer District, the Bath Water and Sewer District and the Clearwater Water and Sewer District shall, from and after the effective date of this act, commence on July January first of the year ~~in which~~ after such commissioners are elected and extend for the term prescribed by law, except for elections as hereinafter provided for the year 1958."

SECTION 3. Section 2 of Act 1006 of 1958 is amended to read:

"SECTION 2. (A) Beginning in 2018, elections for water commissioners of each of the three water and sewer districts herein before specified shall be held on the first Tuesday ~~in May, beginning with the year 1958,~~ after the first Monday in November, and such elections thereafter shall be held on the first Tuesday ~~in May after the~~ first Monday in November of each even numbered year thereafter.

(B) The term of office for each commissioner serving as of February 1, 2017, whose term in office expires before the date for the next election, as provided in subsection (A) shall continue to serve until the date of the next election. The term of office for the commissioner elected to fill this seat at the next election shall be such to ensure the terms of all commissioners are staggered, as required by Section 59-627(1) of Section 1 of Act 516 of 1976.

SECTION 4. Section 3 of Act 1006 of 1958 is amended to read:

"SECTION 3. It shall be the responsibility of the ~~County Board of Election Commissioners of Aiken County, South Carolina,~~ Aiken County Board of Voter Registration and Elections to cause such elections to be called and to conduct such elections, which latter responsibility shall include, among other things, the designation of voting places, the appointment of election managers, the preparation of ballots, the declaring of results of such elections and the certifying of the results thereof to the Secretary of State of South Carolina. Such elections shall be conducted in accordance with the General Election Law of this State, except as such general election law is herein modified. It shall be the responsibility of the ~~Board of Registration for Aiken County, South Carolina,~~ Aiken County Board of Voter Registration and Elections to cause to be prepared and delivered, ~~to the county board of election commissioners~~ not less than three days prior to the date set herein for the holding of such elections, two suitable books or lists of persons entitled to vote in the Langley Water and Sewer District, the Bath Water and Sewer District and the Clearwater Water and Sewer District. The Aiken County Board of ~~Election Commissioners~~ Voter Registration and Elections shall cause to be advertised in at least two newspapers of general circulation in the water and sewer districts herein specified, on at least three different days during the week immediately preceding the date set for any ~~such~~ election, a notice of the election to be held in each water and sewer district, each of which notices shall specify the time and place of the holding of such election, the nature and purpose of such election, the hours of voting, and a resume of qualifications required for voting in such election. In all elections held as herein specified, only those persons who are duly qualified and registered electors and who are bona fide residents of the water and sewer district in which such election is being held shall be eligible to vote. Persons desiring to be candidates ~~for elections to the office of commissioner of a water and sewer district, as herein specified,~~ shall be duly qualified and registered electors, ~~shall be~~ and bona fide residents of the district from which they are seeking election; and shall qualify as candidates for ~~such~~ election by filing a statement of intention of candidacy with the Aiken County Board of Voter Registration and Elections ~~with the county board of election commissioners, not less than five days before the date set for any such election, a written petition signed by not less than fifteen qualified~~

~~electors residing in the water and sewer district for which such election is to be held, asking that the name of such candidate be printed on the election ballot to be used for the election of a commissioner or commissioners for such water and sewer district. Candidate filing shall open on July first and close on July fifteenth of each even numbered year.~~ Within five days after ~~such~~ election, the county board of election commissioners shall meet, canvass the votes cast, and certify to the Secretary of State of South Carolina the names of the person or persons elected as commissioners of ~~such the~~ water and sewer district, and the term for which elected. Thereafter, the person or persons so elected shall ~~cause to be filed~~ file with the Secretary of State of South Carolina the appropriate oath of office and shall comply with ~~such~~ other formalities as are generally required of persons holding ~~such~~ office in the State of South Carolina."

SECTION 5. This act takes effect upon approval by the Governor.

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