

# South Carolina Legislature

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## South Carolina Code of Laws Unannotated

### Title 59 - Education

#### CHAPTER 133

#### Francis Marion University

#### ARTICLE 1

#### General Provisions

#### SECTION 59-133-10. Board of Trustees.

The Board of Trustees for Francis Marion University is composed of the Governor of the State or his designee, who is an ex officio member of the board, and sixteen members, with fifteen of these members to be elected by the General Assembly and one member to be appointed from the State at large by the Governor. The General Assembly shall elect and the Governor shall appoint these members based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the board is representative of all citizens of this State.

Of the fifteen members to be elected, one member must be elected from each congressional district and the remaining eight members must be elected by the General Assembly from the State at large.

The term of office of the at-large trustee appointed by the Governor is effective upon certification to the Secretary of State and is coterminous with the term of the Governor appointing him. He shall serve after his term has expired until his successor is appointed and qualifies.

Each position on the board constitutes a separate office and the seats on the board are numbered consecutively: Seats One through Seven corresponding to the number of each congressional district and Seats Eight through Fifteen to be designated at large. The member appointed by the Governor shall occupy Seat Sixteen.

Effective July 1, 2012, the member from former Seat One remains in Seat One, the member from former Seat Three is transferred to Seat Twelve, the member from former Seat Five is transferred to Seat Thirteen, the member from former Seat Seven is transferred to Seat Fourteen, the member from former Seat Nine is transferred to Seat Five, the member from former Seat Eleven is transferred to Seat Six, the member from former Seat Thirteen is transferred to Seat Eight, and the member from former Seat Fifteen is transferred to Seat Ten, with these members continuing to serve until their terms expire on June 30, 2014. A member for Seats Two, Three, Four, Seven, Nine, Eleven, and Fifteen must be elected by the General Assembly in 2012 for a term that expires on June 30, 2016. The General Assembly shall hold elections every two years to select successors of the trustees whose four-year terms are then expiring. Except as otherwise provided in this chapter, no election may be held before April first of the year in which the successor's term is to commence. The term of office of an elective trustee commences on the first day of July of the year in which the trustee is elected. If an elective office becomes vacant, the Governor may fill it by appointment until the next session of the General Assembly. The General Assembly shall hold an election at any time during the session to fill the vacancy for the unexpired portion of the term. A vacancy occurring in the appointed office on the board must be filled for the remainder of the unexpired term by appointment in the same manner of the original appointment.

HISTORY: 1988 Act No. 510, Section 2; 1988 Act No. 658, Part II, Section 43B; 1991 Act No. 248, Section 6; 2008 Act No. 355, Section 8, eff June 25, 2008; 2012 Act No. 176, Section 13, eff May 25, 2012.

#### Editor's Note

2012 Act No. 176, Sections 18 and 19, provide as follows:

"SECTION 18. Notwithstanding any other provision of law to the contrary, any person elected or appointed to serve, or serving, as a member of any board or commission to represent a Congressional district, whose residency is transferred to another district by a change in the composition of the district, may serve, or continue to serve, the term of office for which he was elected or appointed; however, the appointing or electing authority shall appoint or elect an additional member on that board or commission from the district which loses a resident member as a result of the transfer to serve until the term of the transferred member expires. When a vacancy occurs in the district to which a member has been transferred, the vacancy must not be filled until the full term of the transferred member expires.

"SECTION 19. In the event that elections for incumbent university board of trustees' seats whose terms are expiring this year are not held prior to June 30, 2012, current board members will retain their seats until the General Assembly reconvenes and holds elections."

#### Effect of Amendment

The 2008 amendment reenacted this section with no apparent change.

The 2012 amendment rewrote the section.

#### SECTION 59-133-15. Francis Marion College changed to Francis Marion University.

Francis Marion College is changed to Francis Marion University, effective July 1, 1992, and wherever in the 1976 Code or in any other provision of law the name Francis Marion College appears, it must be construed to mean Francis Marion University.

HISTORY: 1992 Act No. 272, Section 5; 2008 Act No. 355, Section 8, eff June 25, 2008.

#### Effect of Amendment

The 2008 amendment reenacted this section with no apparent change.

#### SECTION 59-133-20. Compensation of board members.

Members of the board are entitled to subsistence, per diem, and mileage authorized for members of state boards, committees, and commissions.

HISTORY: 1988 Act No. 510, Section 2; 2008 Act No. 355, Section 8, eff June 25, 2008.

#### Effect of Amendment

The 2008 amendment reenacted this section with no apparent change.