**South Carolina General Assembly**

121st Session, 2015-2016

**S. 356**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Rankin

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Companion/Similar bill(s): 4820

Introduced in the Senate on January 22, 2015

Introduced in the House on April 28, 2016

Last Amended on April 26, 2016

Currently residing in the House Committee on **Judiciary**

Summary: Commission for Minority Affairs

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/22/2015 Senate Introduced and read first time ([Senate Journal‑page 1](file:///h:\SJ%20Archive\2015\01-22-15.docx))

1/22/2015 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 1](file:///h:\SJ%20Archive\2015\01-22-15.docx))

2/5/2016 Senate Referred to Subcommittee: Rankin (ch), Thurmond, Sabb

4/20/2016 Senate Committee report: Favorable with amendment **Judiciary** ([Senate Journal‑page 5](file:///h:\SJ%20Archive\2016\04-20-16.docx))

4/26/2016 Senate Committee Amendment Adopted ([Senate Journal‑page 45](file:///h:\SJ%20Archive\2016\04-26-16.docx))

4/26/2016 Senate Read second time ([Senate Journal‑page 45](file:///h:\SJ%20Archive\2016\04-26-16.docx))

4/26/2016 Senate Roll call Ayes‑39 Nays‑0 ([Senate Journal‑page 45](file:///h:\SJ%20Archive\2016\04-26-16.docx))

4/27/2016 Senate Read third time and sent to House ([Senate Journal‑page 38](file:///h:\SJ%20Archive\2016\04-27-16.docx))

4/28/2016 House Introduced and read first time ([House Journal‑page 40](file:///h:\HJ%20Archive\2016\04-28-16.docx))

4/28/2016 House Referred to Committee on **Judiciary** ([House Journal‑page 40](file:///h:\HJ%20Archive\2016\04-28-16.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=356&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/22/2015](file:///p:\pprever\2015-16\356_20150122.docx)

[4/20/2016](file:///p:\pprever\2015-16\356_20160420.docx)

[4/26/2016](file:///p:\pprever\2015-16\356_20160426.docx)

COMMITTEE AMENDMENT ADOPTED

April 26, 2016

**S. 356**

Introduced by Senator Rankin

S. Printed 4/26/16--S.

Read the first time January 22, 2015.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑31‑60, SO AS TO REQUIRE THAT ON THE EFFECTIVE DATE OF THIS ACT RECOGNIZED NATIVE AMERICAN INDIAN GROUPS CONTINUE TO BE RECOGNIZED AND ELIGIBLE TO EXERCISE PRIVILEGES AND OBLIGATIONS AUTHORIZED BY THAT DESIGNATION, THAT THE COMMISSION FOR MINORITY AFFAIRS CEASE TO RECOGNIZE ADDITIONAL NATIVE AMERICAN INDIAN GROUPS, THAT ANY REGULATIONS PROVIDING FOR RECOGNITION AS A NATIVE AMERICAN INDIAN GROUP ARE REPEALED, AND THAT THE COMMISSION REVISE ITS REGULATIONS TO PROVIDE FOR THE PRIVILEGES AND OBLIGATIONS OF NATIVE AMERICAN INDIAN GROUPS THAT CONTINUE TO BE RECOGNIZED.

Amend Title To Conform

Whereas, Chapter 139 of the South Carolina Code of Regulations provides for recognition of Native American Indian Groups; and

Whereas, under the definition of “Native American Indian Group” found in Chapter 139, a group “means a number of individuals assembled together, which have different characteristics, interests, and behaviors that do not denote a separate ethnic and cultural heritage today, as they once did. The group is composed of both Native American Indians and other ethnic races. They are not all related to one another by blood. A tribal council and governmental authority unique to Native American Indians govern them”; and

Whereas, while the number of entities that may be recognized as Native American Indian Tribes is finite, recognition of Native American Indian Groups is unlimited; and

Whereas, by continuing to recognize Native American Indian Groups, all of which are entitled membership on the Advisory Committee of the Commission for Minority Affairs, the number of Group members could easily outnumber and outvote the number of Tribe members on the Advisory Committee. Now, therefore,

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

SECTION 1. Chapter 31 of Title 1 of the 1976 Code is amended by adding:

“Section 1‑31‑60. (A) Notwithstanding any other provision of law, upon and after the effective date of this statute:

(1) any Native American Indian Group that on the effective date of this section has been recognized by the Commission for Minority Affairs through its regulatory process remains and continues to be:

(a) recognized as a Native American Indian Group, and

(b) eligible to exercise the privileges and obligations authorized by that designation;

(2) the Commission for Minority Affairs must:

(a) eliminate the eligibility for any additional Native American Indian Groups to receive official recognized status in the State; and

(b) cease to recognize any additional entities as Native American Indian Groups; and

(3) any regulations providing for recognition as a Native American Indian Group are repealed.

(B) The Commission for Minority Affairs must revise any regulations to:

(a) eliminate any recognition procedure as a Native American Indian Group; and

(b) provide for the privileges and obligations a Native American Indian Group that continues to be recognized is authorized to exercise.”

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

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