

# Education Committee

J. GREGORY HEMBREE  
CHAIRMAN

NIKKI G. SETZLER  
VICE CHAIRMAN



DONNA BARTON  
RESEARCH DIRECTOR

SALLY CAUTHEN  
RESEARCH DIRECTOR

MAE WILSON  
ADMINISTRATIVE ASSISTANT

THE SENATE OF SOUTH CAROLINA  
GRESSETTE BUILDING, SUITE 404  
P.O. BOX 142  
COLUMBIA, SC 29202  
TELEPHONE: 803-212-6350

## NOTICE OF SUBCOMMITTEE MEETING

TO: Senator Floyd Nicholson  
Senator Rex F. Rice

CC: Senator Nikki G. Setzler, Vice Chairman  
Donna Barton  
Sally Cauthen

FROM: Senator Lawrence K. "Larry" Grooms, Subcommittee Chairman

DATE: January 11, 2019

SUBJECT: Subcommittee Meeting on S. 33 and S. 35

A subcommittee meeting on S. 33 and S. 35 has been scheduled for Tuesday, January 15, 2019 at 12:00 p.m. in Room 209 of the Gressette Building. Donna Barton is the staff member for the following bill(s).

S. 33 -- Senators Grooms and Campsen: A BILL TO AMEND CHAPTER 101, TITLE 59 OF THE 1976 CODE, RELATING TO COLLEGES AND INSTITUTIONS OF HIGHER LEARNING, GENERALLY, BY ADDING ARTICLE 4, TO ENACT THE CAMPUS FREE EXPRESSION ACT, TO PROVIDE THAT OUTDOOR AREAS OF CAMPUSES OF PUBLIC COLLEGES AND INSTITUTIONS OF HIGHER LEARNING IN THIS STATE SHALL BE DEEMED TRADITIONAL PUBLIC FORUMS, TO PROVIDE THAT ANY PERSON WISHING TO ENGAGE IN NONCOMMERCIAL EXPRESSIVE ACTIVITY ON CAMPUS SHALL BE PERMITTED TO DO SO FREELY UNLESS THE PERSON'S CONDUCT IS UNLAWFUL OR MATERIALLY AND SUBSTANTIALLY DISRUPTS THE FUNCTIONING OF THE INSTITUTION, TO PROVIDE FOR PERMISSIBLE RESTRICTIONS THAT A PUBLIC INSTITUTION OF HIGHER LEARNING MAY PLACE IN CERTAIN AREAS, TO PROVIDE THAT A PUBLIC INSTITUTION OF HIGHER LEARNING SHALL INCLUDE A RANGE OF DISCIPLINARY SANCTIONS FOR ANYONE WITHIN ITS JURISDICTION WHO MATERIALLY AND SUBSTANTIALLY INTERFERES WITH THE FREE EXPRESSION OF OTHERS, TO PROVIDE THAT THE GOVERNING BOARD OF EACH STATE INSTITUTION OF HIGHER LEARNING SHALL DEVELOP AND ADOPT A POLICY ON FREE EXPRESSION BY JANUARY 1, 2020, TO PROVIDE FOR THE CONTENTS OF SUCH POLICY, TO PROVIDE THAT THE ATTORNEY GENERAL AND PERSONS WHOSE EXPRESSIVE RIGHTS HAVE BEEN VIOLATED BY A VIOLATION OF THIS ARTICLE MAY BRING AN ACTION IN A COURT OF COMPETENT JURISDICTION TO ENJOIN ANY VIOLATION OF THIS ARTICLE OR TO RECOVER COMPENSATORY DAMAGES, REASONABLE COURT COSTS, AND ATTORNEYS' FEES, TO PROVIDE THAT THE GOVERNING BOARD OF EACH PUBLIC INSTITUTION OF HIGHER LEARNING SHALL ISSUE AN ANNUAL REPORT ON THE ADMINISTRATIVE HANDLING OF FREE SPEECH ISSUES WITHIN ITS RESPECTIVE INSTITUTION, TO PROVIDE FOR EXCLUSIONS TO THIS ARTICLE, AND TO DEFINE NECESSARY TERMS.

S. 35 -- Senator Grooms: A BILL TO ENACT THE “REINFORCING COLLEGE EDUCATION ON AMERICA’S CONSTITUTIONAL HERITAGE ACT” OR THE “REACH ACT,” TO AMEND SECTION 59-29-120(A), RELATING TO THE STUDY OF THE UNITED STATES CONSTITUTION REQUISITE FOR GRADUATION, TO PROVIDE THAT EACH PUBLIC HIGH SCHOOL MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH STUDENT FOR AT LEAST ONE YEAR; TO AMEND SECTION 59-29-130, RELATING TO THE DURATION OF INSTRUCTION IN THE ESSENTIALS OF THE UNITED STATES CONSTITUTION, TO PROVIDE THAT EACH INSTITUTION OF HIGHER LEARNING MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH UNDERGRADUATE STUDENT FOR THREE SEMESTER CREDIT HOURS; AND TO REPEAL SECTION 59-29-140, RELATING TO THE ENFORCEMENT OF THE PROGRAM OF STUDY OF THE UNITED STATES CONSTITUTION BY THE STATE SUPERINTENDENT OF EDUCATION.

Should you have any questions, please contact Mae Wilson of the Senate Education Committee.