~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

February 11, 2010

**S. 933**

Introduced by Senators Courson, Knotts, Hayes, Rose, Cromer, Peeler, Shoopman, L. Martin, S. Martin, Mulvaney, Davis, Campsen, Fair, Campbell, McConnell, Alexander, O’Dell and Bryant

S. Printed 2/11/10--S.

Read the first time January 12, 2010.

**THE COMMITTEE ON EDUCATION**

To whom was referred a Bill (S. 933) to amend the Code of Laws of South Carolina, 1976, by adding Section 53‑5‑40 so as to provide that Veteran’s Day must be recognized as a holiday, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Chapter 5, Title 53 of the 1976 Code is amended by adding:

“Section 53‑5‑40. The local school districts and public schools of this State, including charter schools and other special schools, may observe Veteran’s Day in recognition and appreciation of the extraordinary sacrifices made by veterans of the United States Armed Forces as a legal holiday during the 2010‑2011 school year, and shall observe the holiday as a legal holiday during the 2011‑2012 school year and thereafter. This holiday may not be considered part of the statutory school term, and school districts may not schedule the holiday as an in‑service training day or make‑up day. When Veteran’s Day falls on a Sunday, schools and districts must be closed the following Monday. When Veteran’s Day falls on a Saturday, schools and districts must be closed on the preceding Friday.”

SECTION 2. Section 59‑29‑120(B) and (C) of the 1976 Code is amended to read:

“(B) On ~~November eleventh~~ the day before Veteran’s Day of each year ~~which is a legal holiday in this State as provided by Section 53‑5‑10~~, schools of the state are encouraged to commemorate and honor veterans of the Armed Forces of the United States of America~~, all elementary, middle, and high schools in this State if they are open, shall devote at least one hour of the school day in either classroom instruction or at a student body assembly program to study the United States Constitution and the Declaration of Independence. If any such school is not open on November eleventh, this instruction or assembly program must be given on the day the school is open immediately preceding November eleventh~~ in recognition and appreciation of the extraordinary sacrifices they made on behalf of our State and nation.

(C) ~~On~~ In November ~~eleventh~~ of each year, schools may permit students to attend activities to commemorate and honor veterans that are held at locations within their respective counties. The parent of a student seeking to be excused pursuant to this subsection shall provide prior written consent to the appropriate school personnel. Attendance at such activities shall count as a part of the instructional day for purposes of Section 59‑1‑440.”

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

JOHN E. COURSON for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

The State Department of Education (SDE) estimates there will be no fiscal impact for that agency or the local school districts.

*Approved By:*

Harry Bell

Office of State Budget

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53‑5‑40 SO AS TO PROVIDE THAT VETERAN’S DAY MUST BE RECOGNIZED AS A HOLIDAY FOR ALL LOCAL SCHOOL DISTRICTS AND PUBLIC SCHOOLS OF THE STATE; AND TO AMEND SECTION 59‑29‑120, RELATING TO ATTENDANCE AT VETERAN’S ACTIVITIES, SO AS TO CHANGE DATES FOR POSSIBLE SCHOOL ACTIVITIES HONORING VETERANS.

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

SECTION 1. Chapter 5, Title 53 of the 1976 Code is amended by adding:

“Section 53‑5‑40. The local school districts and public schools of this State, including charter schools and other special schools, shall observe Veteran’s Day in recognition and appreciation of the extraordinary sacrifices made by veterans of the United States Armed Forces as a legal holiday. This holiday may not be considered part of the statutory school term, and school districts may not schedule the holiday as an in‑service training day or make‑up day. When Veteran’s Day falls on a Sunday, schools and districts must be closed the following Monday. When Veteran’s Day falls on a Saturday, schools and districts must be closed on the preceding Friday.”

SECTION 2. Section 59‑29‑120(B) and (C) of the 1976 Code is amended to read:

“(B) ~~On~~ In November ~~eleventh~~ of each year ~~which is a legal holiday in this State as provided by Section 53‑5‑10 to commemorate and honor veterans~~, all elementary, middle, and high schools in this State ~~if they are open,~~ shall devote at least one hour of the school day in either classroom instruction or at a student body assembly program to study the United States Constitution and the Declaration of Independence. ~~If any such school is not open on November eleventh, this instruction or assembly program must be given on the day the school is open immediately preceding November eleventh.~~

(C) ~~On~~ In November ~~eleventh~~ of each year, schools may permit students to attend activities to commemorate and honor veterans that are held at locations within their respective counties. The parent of a student seeking to be excused pursuant to this subsection shall provide prior written consent to the appropriate school personnel. Attendance at such activities shall count as a part of the instructional day for purposes of Section 59‑1‑440.”

SECTION 3. This act takes effect upon approval by the Governor.

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