**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63‑5‑35 SO AS TO PROVIDE THAT A PARENT’S RIGHT TO DIRECT THE UPBRINGING, EDUCATION, AND CARE OF THE PARENT’S CHILD IS A FUNDAMENTAL RIGHT, TO PROHIBIT THE STATE FROM INFRINGING ON THIS RIGHT, AND TO PROVIDE AN EXCEPTION.

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

SECTION 1. Article 1, Chapter 5, Title 63 of the 1976 Code is amended by adding:

“Section 63‑5‑35. (A) The liberty of a parent to direct the upbringing, education, and care of the parent’s child is a fundamental right.

(B) Neither the State nor an agency or municipality of the State shall infringe this right without demonstrating that its governmental interest as applied to the person is of the highest order and not otherwise served.

(C) This section applies to any state or local law or ordinance and the implementation of that law or ordinance, whether statutory or otherwise, and whether adopted or effective prior to or after the effective date of this section.”

SECTION 2. Statutory law adopted after the effective date of this act is subject to this act unless the law explicitly excludes the application by reference to this act.

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

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