**South Carolina General Assembly**

121st Session, 2015-2016

**S. 1071**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Kimpson and M.B. Matthews

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Companion/Similar bill(s): 4962

Introduced in the Senate on February 9, 2016

Currently residing in the Senate Committee on **Finance**

Summary: Flags

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/9/2016 Senate Introduced and read first time ([Senate Journal‑page 7](file:///h:\SJ%20Archive\2016\02-09-16.docx))

2/9/2016 Senate Referred to Committee on **Finance** ([Senate Journal‑page 7](file:///h:\SJ%20Archive\2016\02-09-16.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=1071&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/9/2016](file:///p:\pprever\2015-16\1071_20160209.docx)

**A** **BILL**

TO AMEND SECTION 10‑1‑165 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA HERITAGE ACT OF 2000, TO PROVIDE THAT FLAGS OF THE WAR BETWEEN THE STATES, INCLUDING BUT NOT LIMITED TO THE CONFEDERATE BATTLE FLAG, THAT ARE PLACED OR DISPLAYED IN CHAPELS OR OTHER STRUCTURES HAVING A RELIGIOUS PURPOSE LOCATED ON PROPERTY OF PUBLIC INSTITUTIONS OF HIGHER LEARNING MAY BE REMOVED AND RELOCATED TO ANOTHER HISTORIC LOCATION ON THE PROPERTY OF THE PUBLIC INSTITUTION OF HIGHER LEARNING OR TO A MUSEUM, THE REMOVAL AND RELOCATION OF WHICH MAY OCCUR ONLY WITH THE APPROVAL OF THE BOARD OF DIRECTORS OF THE PUBLIC INSTITUTION AT A MEETING PUBLICALLY ADVERTISED THIRTY DAYS IN ADVANCE AND OPEN TO THE PUBLIC.

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

SECTION 1. Section 10‑1‑165 of the 1976 Code is amended to read:

“Section 10‑1‑165. (A) No Revolutionary War, War of 1812, Mexican War, War Between the States, Spanish‑American War, World War I, World War II, Korean War, Vietnam War, Persian Gulf War, Native American, or African‑American History monuments or memorials erected on public property of the State or any of its political subdivisions may be relocated, removed, disturbed, or altered. No street, bridge, structure, park, preserve, reserve, or other public area of the State or any of its political subdivisions dedicated in memory of or named for any historic figure or historic event may be renamed or rededicated. No person may prevent the public body responsible for the monument or memorial from taking proper measures and exercising proper means for the protection, preservation, and care of these monuments, memorials, or nameplates.

(B) The provisions of ~~this section~~ subsection (A) may only be amended or repealed upon passage of an act which has received a two‑thirds vote on the third reading of the bill in each branch of the General Assembly.

(C) Notwithstanding the provisions of subsections (A) and (B), flags of the War Between the States, including but not limited to the Confederate Battle Flag, that are placed or displayed in chapels or other structures having a religious purpose located on the property of public institutions of higher learning may be removed and relocated to another historic location on the property of the public institution or to a museum. The removal and relocation of such flags may occur only with the approval of the board of directors of the public institution at a meeting, which shall be publically advertised thirty days in advance and open to the public.”

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

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