**South Carolina General Assembly**

121st Session, 2015-2016

**S. 935**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Shealy

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Introduced in the Senate on January 13, 2016

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

Summary: Use of State House grounds

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/2/2015 Senate Prefiled

12/2/2015 Senate Referred to Committee on **Finance**

1/13/2016 Senate Introduced and read first time ([Senate Journal‑page 36](file:///h:\SJ%20Archive\2016\01-13-16.docx))

1/13/2016 Senate Referred to Committee on **Finance** ([Senate Journal‑page 36](file:///h:\SJ%20Archive\2016\01-13-16.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=935&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/2/2015](file:///p:\pprever\2015-16\935_20151202.docx)

**A** **BILL**

TO AMEND SECTION 10‑11‑140 OF THE 1976 CODE, RELATING TO PERMISSION TO USE THE STATE HOUSE GROUNDS, TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION SHALL CHARGE NONRESIDENTS AND ORGANIZATIONS BASED OUTSIDE OF THIS STATE A REASONABLE FEE FOR USE OF THE STATE HOUSE GROUNDS.

Whereas, the First Amendment to the United States’ Constitution guarantees freedom of religion, speech, the press, the right to assemble, and the right to petition the government.

Whereas, the General Assembly may place time, place, and manner restrictions on gatherings, picket lines, or protests that occur on State House grounds.

Whereas, such time, place, and manner restrictions are justified when regulated without reference to content of regulated speech, when narrowly tailored to serve a significant government interest, and when such restrictions leave open ample alternative channels for communication of the information.

Whereas, South Carolina resident tax dollars built and maintain the State House grounds.

Whereas, it is a significant government interest for the General Assembly to provide the benefit of protecting resident taxpayer resources in regulating the time, place, and manner of gatherings, picket lines, or protests occurring on State House grounds by charging a reasonable fee to nonresidents wishing to use the State House grounds for those purposes.

Whereas, a reasonable fee to assemble assessed against nonresidents to address taxpayer expenditures for maintenance of the State House grounds is narrowly tailored and does not foreclose nonresidents from expression. Now, therefore

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

SECTION 1. Section 10‑11‑140 of the 1976 Code is amended to read:

“Section 10‑11‑140. (A) Nothing contained in this article shall be construed to abridge the authority of the Department of Administration to grant permission to use the State House grounds for educational, electrical decorations, and similar purposes.

(B) A nonresident who, or organization based outside of this State that, wants to organize and hold an event on the State House grounds, as defined in Section 10‑1‑35, must provide the department with written notice not less than thirty days prior to the date of the proposed event. The notice shall contain information required by and in a form prescribed by the department. Upon receipt of the written notice, the department may grant permission for the use of the State House grounds, provided that the department shall require a reasonable fee for the use of State House grounds to offset maintenance and other costs associated with the event that are funded by State taxpayers. The event may not be held until the department receives the fee.”

SECTION 2. The Department of Administration shall promulgate regulations necessary to carry out the provisions of this act.

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

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