~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

May 12, 2016

**H. 3151**

Introduced by Rep. G.R. Smith

S. Printed 5/12/16--S. [SEC 5/17/16 12:54 PM]

Read the first time May 12, 2015.

**THE COMMITTEE ON EDUCATION**

To whom was referred a Bill (H. 3151) to amend Section 59‑29‑120, Code of Laws of South Carolina, 1976, relating to requisite study of the United States Constitution and other texts reflecting the history, 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. Section 59‑29‑120(A) of the 1976 Code is amended to read:

“(A) All public high schools~~, colleges, and universities in this State that are sustained or in any manner supported by public funds shall~~ and all public institutions of higher learning, as defined in Section 59‑103‑5, shall give instruction in the essentials of the United States Constitution, the Declaration of Independence, and the Federalist Papers, including the study of ~~and devotion to~~ American institutions and ideals, and no student in any such school~~, college, or university~~ or public institution of higher learning may receive a certificate of graduation without previously passing a satisfactory examination upon the provisions and principles of the United States Constitution, the Declaration of Independence, and the Federalist Papers~~, and, if a citizen of the United States, satisfying the examining power of his loyalty thereto~~. A listing of recommended instructional materials may be identified by the Commission on Higher Education working in conjunction with the colleges and universities.

In addition to the instruction required by this section in the essentials of the United States Constitution, the Declaration of Independence, and the Federalist Papers the same such instruction must be given in African American history and in Native American history of the Aboriginal peoples indigenous to South Carolina.”

SECTION 2. Section 59-29-130 of the 1976 Code is amended to read:

“Section 59-29-130. The instruction provided for in Section 59-29-120 ~~shall~~ must be given:

(1) for at least one year ~~of the~~ in high school, ~~college and university grades, respectively~~; and

(2) at least once during the matriculation of undergraduate students in public institutions of higher learning. A public institution of higher learning may exempt a student who has passed a relevant advanced placement course or dual-credit course while in high school.”

SECTION 3. Section 59‑29‑140 of the 1976 Code is repealed.

SECTION 4. The provisions contained in Section 59-29-130 must apply to the first incoming freshman class, and each freshman class thereafter, entering a public institution of higher learning after the effective date of this act. Nothing contained in Section 59-29-130 may be continued to prevent an undergraduate student enrolled in a public institution of higher learning on the effective date of this act from receiving a certificate of graduation.

SECTION 5. This act takes effect one year after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

JOHN E. COURSON for Committee.

**A** **BILL**

TO AMEND SECTION 59‑29‑120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUISITE STUDY OF THE UNITED STATES CONSTITUTION AND OTHER TEXTS REFLECTING THE HISTORY OF THE UNITED STATES IN PUBLIC HIGH SCHOOLS AND PUBLICLY‑SUPPORTED COLLEGES AND UNIVERSITIES, SO AS TO PROVIDE THAT PUBLIC COLLEGES AND UNIVERSITIES MAY SATISFY THE INSTRUCTIONAL COMPONENT OF THIS REQUIREMENT BY PROVIDING AND ASSIGNING CERTAIN RELATED READING; TO AMEND SECTION 59‑29‑130, RELATING TO THE REQUIREMENT THAT THESE SUBJECTS BE GIVEN FOR AT LEAST ONE YEAR, SO AS TO REVISE THE REQUIREMENT FOR COLLEGES AND UNIVERSITIES; AND TO AMEND SECTION 59‑29‑140, RELATING TO THE ROLE OF THE STATE SUPERINTENDENT OF EDUCATION TO ENFORCE THESE STUDY REQUIREMENTS AND PRESCRIBE SUITABLE TEXTS, SO AS TO TRANSFER THESE FUNCTIONS, WITH RESPECT TO COLLEGES AND UNIVERSITIES, TO THE COMMISSION OF HIGHER EDUCATION.

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

SECTION 1. Section 59‑29‑120(A) of the 1976 Code is amended to read:

“(A) All public high schools~~, colleges, and universities in this State that are sustained or in any manner supported by public funds shall~~ and all public institutions of higher learning, as defined in Section 59‑103‑5, shall give instruction in the essentials of the United States Constitution, the Declaration of Independence, and the Federalist Papers, including the study of ~~and devotion to~~ American institutions and ideals, and no student in any such school~~, college, or university~~ or public institution of higher learning may receive a certificate of graduation without previously passing a satisfactory examination upon the provisions and principles of the United States Constitution, the Declaration of Independence, and the Federalist Papers~~, and, if a citizen of the United States, satisfying the examining power of his loyalty thereto~~. A listing of recommended instructional materials may be identified by the Commission on Higher Education working in conjunction with the colleges and universities.

In addition to the instruction required by this section in the essentials of the United States Constitution, the Declaration of Independence, and the Federalist Papers the same such instruction must be given in African‑American history and in Native‑American history of the Aboriginal peoples indigenous to South Carolina.”

SECTION 2. Section 59‑29‑140 of the 1976 Code is repealed.

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

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