**South Carolina General Assembly**

122nd Session, 2017-2018

**A185, R201, S302**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Sheheen and Bennett

Document Path: l:\s-res\vas\005phys.kmm.vas.docx

Companion/Similar bill(s): 3071, 3821

Introduced in the Senate on January 24, 2017

Introduced in the House on April 3, 2018

Last Amended on May 10, 2018

Passed by the General Assembly on May 10, 2018

Governor's Action: May 17, 2018, Signed

Summary: Physical education

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/24/2017 Senate Introduced and read first time ([Senate Journal‑page 23](file:///h%3A%5Csj%5C20170124.docx))

 1/24/2017 Senate Referred to Committee on **Education** ([Senate Journal‑page 23](file:///h%3A%5Csj%5C20170124.docx))

 3/15/2018 Senate Committee report: Favorable **Education** ([Senate Journal‑page 8](file:///h%3A%5Csj%5C20180315.docx))

 3/22/2018 Senate Amended ([Senate Journal‑page 31](file:///h%3A%5Csj%5C20180322.docx))

 3/22/2018 Senate Read second time ([Senate Journal‑page 31](file:///h%3A%5Csj%5C20180322.docx))

 3/22/2018 Senate Roll call Ayes‑38 Nays‑0 ([Senate Journal‑page 31](file:///h%3A%5Csj%5C20180322.docx))

 3/27/2018 Senate Read third time and sent to House ([Senate Journal‑page 18](file:///h%3A%5Csj%5C20180327.docx))

 3/27/2018 Senate Roll call Ayes‑43 Nays‑0 ([Senate Journal‑page 18](file:///h%3A%5Csj%5C20180327.docx))

 4/3/2018 House Introduced and read first time ([House Journal‑page 77](file:///h%3A%5Chj%5C20180403.docx))

 4/3/2018 House Referred to Committee on **Education and Public Works** ([House Journal‑page 77](file:///h%3A%5Chj%5C20180403.docx))

 4/25/2018 House Committee report: Favorable **Education and Public Works** ([House Journal‑page 9](file:///h%3A%5Chj%5C20180425.docx))

 5/1/2018 House Requests for debate‑Rep(s). Pitts, Hiott, Bannister, Collins, DC Moss, Blackwell, Young, Taylor, Hixon, Anderson, Hosey, Brown, Kirby, Hayes, Douglas, Willis, Hewitt, Weeks ([House Journal‑page 107](file:///h%3A%5Chj%5C20180501.docx))

 5/2/2018 House Requests for debate removed‑Rep(s). Hiott, Taylor, Douglas, Hayes, Pitts, Collins, Brown, Hixon, Blackwell, Kirby, DC Moss, Weeks, Hewitt, Bannister ([House Journal‑page 105](file:///h%3A%5Chj%5C20180502.docx))

 5/2/2018 House Amended ([House Journal‑page 105](file:///h%3A%5Chj%5C20180502.docx))

 5/2/2018 House Requests for debate‑Rep(s). GR Smith, Anthony, Thigpen, Weeks, Clemmons, Loftis, Stringer, Robinson‑Simpson, Brown, Fry, Williams, Clyburn ([House Journal‑page 110](file:///h%3A%5Chj%5C20180502.docx))

 5/3/2018 House Requests for debate removed‑Rep(s). Anthony, Brown, Loftis, Hosey, Clyburn, Clemmons, Weeks, Robinson‑Simpson, Young, GR Smith, Anderson, Willis, Williams ([House Journal‑page 23](file:///h%3A%5Chj%5C20180503.docx))

 5/3/2018 House Debate adjourned until Tues., 5‑8‑18 ([House Journal‑page 61](file:///h%3A%5Chj%5C20180503.docx))

 5/8/2018 House Amended ([House Journal‑page 42](file:///h%3A%5Chj%5C20180508.docx))

 5/8/2018 House Read second time ([House Journal‑page 42](file:///h%3A%5Chj%5C20180508.docx))

 5/8/2018 House Roll call Yeas‑100 Nays‑0 ([House Journal‑page 44](file:///h%3A%5Chj%5C20180508.docx))

 5/9/2018 House Amended ([House Journal‑page 25](file:///h%3A%5Chj%5C20180509.docx))

 5/9/2018 House Read third time and returned to Senate with amendments ([House Journal‑page 25](file:///h%3A%5Chj%5C20180509.docx))

 5/9/2018 House Roll call Yeas‑107 Nays‑0 ([House Journal‑page 27](file:///h%3A%5Chj%5C20180509.docx))

 5/9/2018 Senate House amendment amended ([Senate Journal‑page 125](file:///h%3A%5Csj%5C20180509.docx))

 5/9/2018 Senate Roll call Ayes‑43 Nays‑0 ([Senate Journal‑page 125](file:///h%3A%5Csj%5C20180509.docx))

 5/9/2018 Senate Returned to House with amendments ([Senate Journal‑page 125](file:///h%3A%5Csj%5C20180509.docx))

 5/9/2018 House Non‑concurrence in Senate amendment ([House Journal‑page 133](file:///h%3A%5Chj%5C20180509.docx))

 5/9/2018 House Roll call Yeas‑0 Nays‑91 ([House Journal‑page 134](file:///h%3A%5Chj%5C20180509.docx))

 5/10/2018 Senate Senate insists upon amendment and conference committee appointed Sheheen, Bennett, Hembree ([Senate Journal‑page 67](file:///h%3A%5Csj%5C20180510.docx))

 5/10/2018 House Conference committee appointed Felder, B Newton, Alexander ([House Journal‑page 26](file:///h%3A%5Chj%5C20180510.docx))

 5/10/2018 House Conference report adopted ([House Journal‑page 116](file:///h%3A%5Chj%5C20180510.docx))

 5/10/2018 House Roll call Yeas‑94 Nays‑2 ([House Journal‑page 118](file:///h%3A%5Chj%5C20180510.docx))

 5/10/2018 Senate Conference report adopted ([Senate Journal‑page 68](file:///h%3A%5Csj%5C20180510.docx))

 5/10/2018 Senate Roll call Ayes‑42 Nays‑0 ([Senate Journal‑page 68](file:///h%3A%5Csj%5C20180510.docx))

 5/10/2018 House Ordered enrolled for ratification ([House Journal‑page 120](file:///h%3A%5Chj%5C20180510.docx))

 5/14/2018 Ratified R 201

 5/17/2018 Signed By Governor

 5/24/2018 Effective date 05/17/18

 5/31/2018 Act No. 185

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=302&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/24/2017](file:///p%3A%5Cpprever%5C2017-18%5C302_20170124.docx)

[3/15/2018](file:///p%3A%5Cpprever%5C2017-18%5C302_20180315.docx)

[3/22/2018](file:///p%3A%5Cpprever%5C2017-18%5C302_20180322.docx)

[4/25/2018](file:///p%3A%5Cpprever%5C2017-18%5C302_20180425.docx)

[5/2/2018](file:///p%3A%5Cpprever%5C2017-18%5C302_20180502.docx)

[5/8/2018](file:///p%3A%5Cpprever%5C2017-18%5C302_20180508.docx)

[5/9/2018](file:///p%3A%5Cpprever%5C2017-18%5C302_20180509.docx)

[5/9/2018-A](file:///%5C%5Cnetapp%5CCommon_spc%5Cpprever%5C2017-18%5C302_20180509A.docx)

[5/10/2018](file:///p%3A%5Cpprever%5C2017-18%5C302_20180510.docx)

(A185, R201, S302)

**AN ACT** **TO AMEND SECTION 59‑29‑80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRED PHYSICAL EDUCATION COURSEWORK IN PUBLIC SCHOOLS AND THE ACCEPTABILITY OF ROTC TRAINING IN LIEU OF SUCH COURSEWORK, SO AS ALSO TO PROVIDE THAT CERTAIN MARCHING BAND INSTRUCTION MUST BE ACCEPTED IN LIEU OF SUCH PHYSICAL EDUCATION COURSEWORK, SUBJECT TO CERTAIN REQUIREMENTS CONCERNING THE INCORPORATION OF SOUTH CAROLINA ACADEMIC STANDARDS FOR PHYSICAL EDUCATION AND APPROVAL BY THE STATE DEPARTMENT OF EDUCATION; BY ADDING SECTION 59‑103‑155 SO AS TO PROVIDE INSTITUTION OF HIGHER EDUCATION DEGREE PROGRAMS IN HEALTH CARE PROFESSIONS WHICH ALLOW THE PRESCRIBING OF CERTAIN CONTROLLED SUBSTANCES MUST INCLUDE COURSEWORK ON THE PRESCRIBING AND MONITORING OF SUCH SUBSTANCES, AND TO PROVIDE THESE INSTITUTIONS SHALL COORDINATE WITH CERTAIN STATE AGENCIES AND BOARDS TO DEVELOP THE RELATED CURRICULUM; AND TO AMEND SECTION 59‑32‑20, RELATING TO THE SELECTION OR ADOPTION OF CERTAIN INSTRUCTIONAL UNITS PURSUANT TO THE COMPREHENSIVE HEALTH EDUCATION ACT BY THE STATE BOARD OF EDUCATION, SO AS TO PROVIDE THAT BEFORE AUGUST 1, 2018, AND AS LATER CONSIDERED NECESSARY THROUGH THE CYCLICAL REVIEW PROCESS, THE BOARD ALSO SHALL INCLUDE CERTAIN INSTRUCTION ON PRESCRIPTION OPIOID ABUSE PREVENTION AND MAKE AVAILABLE TO DISTRICTS A LIST OF INSTRUCTIONAL MATERIALS THAT MEET APPLICABLE STATE STANDARDS, AND TO PROVIDE DISTRICTS SHALL CONTINUE TO ADOPT OR DEVELOP CURRICULUM LOCALLY.**

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

**Physical education, marching band**

SECTION 1. Section 59‑29‑80(A) of the 1976 Code is amended to read:

 “Section 59‑29‑80. (A) There is established and provided in all the public schools of this State physical education, training, and instruction of pupils of both sexes. Every pupil attending public school, in so far as he is physically fit and able to do so, shall take the course or courses provided by this section. Suitable modified courses must be provided for students physically or mentally unable or unfit to take the course or courses prescribed for normal pupils. However, in public school that offers a military or naval ROTC program sponsored by one of the military services of the United States, training in such a program must be considered to be the equivalent of physical education instruction and must be accepted in lieu of such instruction for all purposes, academic or nonacademic, as may hereinafter be provided. Additionally, in a public school that offers instruction in marching band based on the South Carolina Academic Standards for the Visual and Performing Arts and that incorporates the South Carolina Academic Standards for Physical Education, this instruction must be considered to be the equivalent of physical education instruction and must be accepted in lieu of physical education instruction for all purposes; provided the district first shall submit a plan to the department documenting that all South Carolina Academic Standards for Physical Education are met in the proposed marching band instruction, and upon approval of the plan by the department, this instruction may be offered and considered to be the equivalent of physical education instruction.”

**Health profession education, drug training**

SECTION 2. Article 1, Chapter 103, Title 59 of the 1976 Code is amended by adding:

 “Section 59‑103‑155. Any public or private institution of higher education in the State from which a student may earn a degree in a health care profession that allows the person to prescribe controlled substances listed in Schedules II, III, and IV in the State shall require for those programs that students complete coursework on the prescription and monitoring of Schedule II, III, and IV controlled substances, including coursework on the prescription of Schedule II controlled substances to treat or manage pain, and strategies that can be employed to recognize signs of and reduce the likelihood of patient addiction. These institutions of higher education shall coordinate with the state’s Commission on Higher Education, Board of Medical Examiners, Board of Dentistry, and Board of Nursing to develop the curriculum.”

**Comprehensive Health Education Act, drug training**

SECTION 3. Section 59‑32‑20 of the 1976 Code is amended to read:

 “Section 59‑32‑20. (A) Before August 1, 1988, the board, through the department, shall select or develop an instructional unit with separate components addressing the subjects of reproductive health education, family life education, pregnancy prevention education, and sexually transmitted diseases and make the instructional unit available to local school districts. The board, through the department, also shall make available information about other programs developed by other states upon request of a local school district.

 (B) In addition to the provisions of subsection (A), before September 1, 2015, the board, through the department, shall select or develop instructional units in sexual abuse and assault awareness and prevention, with separate units appropriate for each age level from four‑year‑old kindergarten through twelfth grade.

 (C) Before August 1, 2018, and through the cyclical review process, if deemed necessary, the board shall include instruction on prescription opioid abuse prevention, with an emphasis on the prescription drug epidemic and the connection between opioid abuse and addiction to other drugs, such as heroin, in the health standards. In addition, the board shall make available to districts a list of instructional materials that meet state standards. Districts shall continue to adopt or develop curriculum locally.”

**Time effective**

SECTION 4. This act takes effect upon approval by the Governor.

Ratified the 14th day of May, 2018.

Approved the 17th day of May, 2018.

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