**South Carolina General Assembly**

123rd Session, 2019-2020

**S. 87**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Campsen

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Introduced in the Senate on January 8, 2019

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

Summary: Religious freedom for student associations

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/12/2018 Senate Prefiled

12/12/2018 Senate Referred to Committee on **Education**

1/8/2019 Senate Introduced and read first time ([Senate Journal‑page 80](file:///h:\sj\20190108.docx))

1/8/2019 Senate Referred to Committee on **Education** ([Senate Journal‑page 80](file:///h:\sj\20190108.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=87&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/12/2018](file:///p:\pprever\2019-20\87_20181212.docx)

**A** **BILL**

TO AMEND ARTICLE 5, CHAPTER 1, TITLE 59 OF THE 1976 CODE, RELATING TO FREEDOM OF RELIGION FOR STUDENT ASSOCIATIONS, BY ADDING SECTION 59-1-436, TO PROVIDE THAT NO PUBLIC INSTITUTION OF HIGHER LEARNING SHALL TAKE ANY ACTION OR ENFORCE ANY POLICY THAT DENIES A RELIGIOUS STUDENT ASSOCIATION ANY BENEFIT AVAILABLE TO ANY OTHER STUDENT ASSOCIATION BASED ON THE RELIGIOUS STUDENT ASSOCIATION’S REQUIREMENT THAT ITS LEADERS OR MEMBERS ADHERE TO ITS SINCERELY HELD RELIGIOUS BELIEFS OR STANDARDS OF CONDUCT; AND TO DEFINE NECESSARY TERMS.

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

SECTION 1. This act may be cited as the “Student Association Freedom of Religion Act.”

SECTION 2. Article 5, Chapter 1, Title 59 of the 1976 Code is amended by adding:

“Section 59‑1‑436. (A) As used in this section:

(1) ‘Benefits’ include, but are not limited to:

(a) recognition;

(b) registration;

(c) the use of facilities of the public institution of higher learning for meetings or speaking purposes;

(d) the use of channels of communication of the public institution of higher learning; and

(e) funding sources that are otherwise available to any other student association in the public institution of higher learning.

(2) ‘Public institution of higher learning’ shall have the meaning provided in Section 59‑103‑5.

(B) No public institution of higher learning shall take any action or enforce any policy that denies a religious student association any benefit available to any other student association based on the religious student association’s requirement that its leaders or members adhere to its sincerely held religious beliefs or standards of conduct.

(C) This section does not apply to religious student associations that intentionally incite or produce likely and imminent illegal action prohibited by statute or general law.”

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this chapter and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

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

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