**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3338**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. G.R. Smith, Taylor, Haddon, Pope and Magnuson

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Companion/Similar bill(s): 38

Introduced in the House on January 12, 2021

Currently residing in the House Committee on **Education and Public Works**

Summary: Reinforcing College Education on America's Constitutional Heritage Act (REACH)

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 House Prefiled ([House Journal‑page 3](file:///h:\hj\20201209.docx))

12/9/2020 House Referred to Committee on **Education and Public Works**

1/12/2021 House Introduced and read first time ([House Journal‑page 163](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Education and Public Works** ([House Journal‑page 163](file:///h:\hj\20210112.docx))

4/29/2021 House Member(s) request name added as sponsor: Magnuson

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**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\3338_20201209.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “REINFORCING COLLEGE EDUCATION ON AMERICA’S CONSTITUTIONAL HERITAGE ACT” OR THE “REACH ACT”; TO AMEND SECTION 59‑29‑120, RELATING TO INSTRUCTION IN AMERICAN FOUNDATIONAL DOCUMENTS, INSTITUTIONS, AND IDEALS REQUIRED FOR GRADUATION, SO AS TO LIMIT APPLICATION OF THE STATUTE TO PUBLIC HIGH SCHOOLS, TO ADD THE CIVIL RIGHTS ACT OF 1964 TO THE TOPICS OF INSTRUCTION, AND TO REMOVE A LOYALTY DEMONSTRATION REQUIREMENT; TO AMEND SECTION 59‑29‑130, RELATING TO THE REQUIRED STUDY IN AMERICAN FOUNDATIONAL DOCUMENTS, INSTITUTIONS, AND IDEALS REQUIRED FOR GRADUATION, SO AS TO LIMIT APPLICATION OF THIS REQUIREMENT TO CERTAIN INSTITUTIONS OF HIGHER LEARNING, TO ADD THE CIVIL RIGHTS OF 1964 TO THE TOPICS OF INSTRUCTION, AND TO PROVIDE CERTAIN REQUIREMENTS CONCERNING THE IMPLEMENTATION OF THIS SECTION; TO REPEAL SECTION 59‑29‑140 RELATING TO THE ENFORCEMENT OF THE PROGRAM OF STUDY OF THE UNITED STATES CONSTITUTION BY THE STATE SUPERINTENDENT OF EDUCATION; AND TO PROVIDE FOR THE APPLICABILITY OF CERTAIN PROVISIONS OF THIS ACT TO CERTAIN STUDENT POPULATIONS.

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

SECTION 1. This act must be known and may be cited as the “Reinforcing College Education on America’s Constitutional Heritage Act” or the “REACH Act”.

SECTION 2. 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 give instruction in the essentials of the United States Constitution, the Declaration of Independence, ~~and~~ the Federalist Papers, and the Civil Rights Act of 1964, and include ~~including~~ the study of ~~and devotion to~~ American institutions and ideals~~, and~~. No student in any such school~~, college, or university~~ 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 the Civil Rights Act of 1964~~, if a citizen of the United States, satisfying the examining power of his loyalty thereto~~.”

SECTION 3. 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 be given for at least one year of the high school, college and university grades, respectively.~~ (A) All public institutions of higher learning, as defined in Section 59‑103‑5(2), that offer classes which may fulfill general education or liberal arts requirements shall provide instruction in the essentials of the United States Constitution, the Declaration of Independence, the Federalist Papers, the Civil Rights Act of 1964, and the study of American institutions and history in the United States. No public institution of higher learning may grant a certificate of graduation for any associates or baccalaureate degree program to any student unless he successfully completes the requirements of subsection (B).

(B)(1) Each public institution of higher learning shall require each undergraduate student, except a student eligible for the exemption provided in subsection (B)(2), to complete no fewer than three semester credit hours, or their equivalent, with a passing grade in the instruction subject area pursuant to this section. Each undergraduate student shall:

(a) read the United States Constitution in its entirety;

(b) read the Declaration of Independence in its entirety;

(c) read the Civil Rights Act of 1964 in its entirety;

(d) read a minimum of five essays in their entirety from the Federalist Papers as selected by an instructor; and

(e) pass a comprehensive examination at the end of the course, with this final comprehensive exam comprising no less than twenty percent of the total class grade.

(2) A public institution of higher learning may exempt a student from the requirements of item (1) if:

(a) the student has completed three semester credit hours or the equivalent in an Advanced Placement (AP) course, International Baccalaureate (IB) course, or dual‑credit course with a passing grade in the subject of American government; and

(b) the completed credit hours described in subitem (a) satisfy the requirements of item (1).

(C) The boards of trustees of a public institution of higher learning shall ensure that the requirements of this section are incorporated into the degree requirements of all undergraduate degree programs offered by the institution in a manner that does not:

(1) add to the total number of credit hours for any degree; and

(2) conflict with any school accreditation process.

(D) The Commission on Higher Education shall:

(1) ensure the compliance of each public institution of higher learning with the provisions of this section; and

(2) annually collect information necessary to ensure that each public institution of higher learning complies with the provisions of this section. The commission annually shall report this information to the General Assembly.”

SECTION 4. Section 59‑29‑140 of the 1976 Code is repealed.

SECTION 5. 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 act 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 6. Section 59‑29‑130 applies to the first incoming undergraduate freshman class entering a public institution of higher learning after the effective date of this act and each subsequent undergraduate class thereafter. Nothing contained in Section 59‑29‑130 may be construed 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 7. This act takes effect one year after approval by the Governor.

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