**South Carolina General Assembly**

124th Session, 2021-2022

**A26, R38, S38**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Grooms, Rice, Hembree, Verdin, Kimbrell, Corbin, Loftis, Campsen, Bennett and Young

Document Path: l:\s-res\lkg\005rein.kmm.lkg.docx

Companion/Similar bill(s): 3338

Introduced in the Senate on January 12, 2021

Introduced in the House on March 4, 2021

Last Amended on April 15, 2021

Passed by the General Assembly on April 22, 2021

Governor's Action: April 28, 2021, Signed

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

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/9/2020 Senate Prefiled

 12/9/2020 Senate Referred to Committee on **Education**

 1/12/2021 Senate Introduced and read first time ([Senate Journal‑page 108](file:///h%3A%5Csj%5C20210112.docx))

 1/12/2021 Senate Referred to Committee on **Education** ([Senate Journal‑page 108](file:///h%3A%5Csj%5C20210112.docx))

 2/24/2021 Senate Committee report: Favorable with amendment **Education** ([Senate Journal‑page 10](file:///h%3A%5Csj%5C20210224.docx))

 2/25/2021 Scrivener's error corrected

 3/2/2021 Senate Committee Amendment Adopted ([Senate Journal‑page 43](file:///h%3A%5Csj%5C20210302.docx))

 3/2/2021 Senate Read second time ([Senate Journal‑page 43](file:///h%3A%5Csj%5C20210302.docx))

 3/2/2021 Senate Roll call Ayes‑45 Nays‑0 ([Senate Journal‑page 43](file:///h%3A%5Csj%5C20210302.docx))

 3/3/2021 Senate Read third time and sent to House ([Senate Journal‑page 17](file:///h%3A%5Csj%5C20210303.docx))

 3/4/2021 House Introduced and read first time ([House Journal‑page 3](file:///h%3A%5Chj%5C20210304.docx))

 3/4/2021 House Referred to Committee on **Education and Public Works** ([House Journal‑page 3](file:///h%3A%5Chj%5C20210304.docx))

 4/7/2021 House Committee report: Favorable **Education and Public Works** ([House Journal‑page 25](file:///h%3A%5Chj%5C20210407.docx))

 4/13/2021 House Debate adjourned until Wed., 4‑14‑21 ([House Journal‑page 17](file:///h%3A%5Chj%5C20210413.docx))

 4/14/2021 House Amended ([House Journal‑page 13](file:///h%3A%5Chj%5C20210414.docx))

 4/14/2021 House Debate adjourned until Thur., 4‑15‑21 ([House Journal‑page 18](file:///h%3A%5Chj%5C20210414.docx))

 4/15/2021 House Amended ([House Journal‑page 9](file:///h%3A%5Chj%5C20210415.docx))

 4/15/2021 House Read second time ([House Journal‑page 9](file:///h%3A%5Chj%5C20210415.docx))

 4/15/2021 House Roll call Yeas‑91 Nays‑12 ([House Journal‑page 12](file:///h%3A%5Chj%5C20210415.docx))

 4/20/2021 House Read third time and returned to Senate with amendments ([House Journal‑page 6](file:///h%3A%5Chj%5C20210420.docx))

 4/22/2021 Senate Concurred in House amendment and enrolled ([Senate Journal‑page 96](file:///h%3A%5Csj%5C20210422.docx))

 4/22/2021 Senate Roll call Ayes‑41 Nays‑0 ([Senate Journal‑page 96](file:///h%3A%5Csj%5C20210422.docx))

 4/28/2021 Ratified R 38

 4/28/2021 Signed By Governor

 4/30/2021 Effective date See Act for Effective Date

 4/30/2021 Act No.  26

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**VERSIONS OF THIS BILL**

[12/9/2020](file:///p%3A%5Cpprever%5C2021-22%5C38_20201209.docx)

[2/24/2021](file:///p%3A%5Cpprever%5C2021-22%5C38_20210224.docx)

[2/25/2021](file:///p%3A%5Cpprever%5C2021-22%5C38_20210225.docx)

[3/2/2021](file:///p%3A%5Cpprever%5C2021-22%5C38_20210302.docx)

[4/7/2021](file:///p%3A%5Cpprever%5C2021-22%5C38_20210407.docx)

[4/14/2021](file:///p%3A%5Cpprever%5C2021-22%5C38_20210414.docx)

[4/15/2021](file:///p%3A%5Cpprever%5C2021-22%5C38_20210415.docx)

(A26, R38, S38)

**AN ACT 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 THE STUDY OF THE UNITED STATES CONSTITUTION REQUIRED FOR GRADUATION, SO AS TO PROVIDE PUBLIC HIGH SCHOOLS SHALL PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE DECLARATION OF INDEPENDENCE, THE EMANCIPATION PROCLAMATION, AND THE FEDERALIST PAPERS TO EACH STUDENT FOR AT LEAST ONE YEAR; TO AMEND SECTION 59‑29‑130, RELATING TO THE DURATION OF INSTRUCTION IN THE ESSENTIALS OF THE UNITED STATES CONSTITUTION, SO AS TO PROVIDE PUBLIC INSTITUTIONS OF HIGHER LEARNING SHALL REQUIRE STUDENTS TO COMPLETE AT LEAST THREE CREDIT HOURS OF INSTRUCTION THAT PROVIDES A COMPREHENSIVE OVERVIEW OF THE MAJOR EVENTS AND TURNING POINTS OF AMERICAN HISTORY AND GOVERNMENT, TO INCLUDE SPECIFIC REQUIREMENTS FOR SUCH INSTRUCTION, TO PROVIDE PUBLIC INSTITUTIONS OF HIGHER LEARNING MAY NOT GRANT CERTIFICATES OF GRADUATION FOR BACCALAUREATE DEGREE PROGRAMS TO STUDENTS WHO FAIL TO SUCCESSFULLY COMPLETE THIS INSTRUCTION REQUIREMENT, TO PROVIDE EXEMPTIONS, TO PROVIDE RELATED IMPLEMENTATION REQUIREMENTS OF THE GOVERNING BOARDS OF PUBLIC INSTITUTIONS OF HIGHER LEARNING, TO PROVIDE RELATED OVERSIGHT AND COMPLIANCE REPORTING REQUIREMENTS OF THE COMMISSION OF HIGHER EDUCATION, AND TO SPECIFY THE STUDENTS TO WHICH THESE PROVISIONS APPLY; 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 MAKE THE PROVISIONS OF THIS ACT EFFECTIVE BEGINNING WITH THE 2021‑2022 SCHOOL YEAR.**

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

**Public high schools, required instruction**

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

 “(A) All public high schools must give instruction in the essentials of the United States Constitution, the Declaration of Independence, the Emancipation Proclamation, and the Federalist Papers. No student in any such school may receive a certificate of graduation without previously passing a course that includes instruction in the provisions and principles of the United States Constitution, the Declaration of Independence, the Emancipation Proclamation, and the Federalist Papers.”

**Public institutions of higher learning, required instruction, applicability**

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

 “Section 59‑29‑130. (A)(1)(a) A public institution of higher learning, as defined in Section 59‑103‑5, that offers classes which may fulfill general education or liberal arts requirements shall require each undergraduate student, except a student eligible for the exemption provided in item (2), to complete no fewer than three semester credit hours or their equivalent in American history, American government, or another equivalent course of instruction that provides a comprehensive overview of the major events and turning points of American history and government which includes, at a minimum, reading:

 (i) the United States Constitution in its entirety;

 (ii) the Declaration of Independence in its entirety;

 (iii) the Emancipation Proclamation in its entirety;

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

 (v) one or more documents that are foundational to the African American Freedom struggle.

 (b) No public institution of higher learning may grant a certificate of graduation for a baccalaureate degree program to a student unless he successfully completes the requirements of this subsection.

 (2) A public institution of higher learning may exempt a student who has completed three semester credit hours, or their equivalent, in an Advanced Placement, International Baccalaureate (IB), or dual‑credit course with a passing grade in the subject of American government or American history, provided the completed three semester credit hours, or their equivalent, in an Advanced Placement, International Baccalaureate, or dual‑credit course must satisfy the requirements of item (1).

 (B) The board 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 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.

 (C) The Commission on Higher Education shall ensure the compliance of each public institution of higher learning with all provisions of this section. The commission annually shall collect information necessary to ensure that a public institution of higher learning is in compliance with this section. This information annually must be reported to the Chairman of the House of Representatives Ways and Means Committee, the Chairman of the House of Representatives Education and Public Works Committee, the Chairman of the Senate Finance Committee, and the Chairman of the Senate Education Committee.”

B. Section 59‑29‑130, as amended by this act, 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.

**Repeal**

SECTION 3. Section 59‑29‑140 of the 1976 Code, relating to the enforcement of the program of study of the United States Constitution by the State Superintendent, is repealed.

**Severability**

SECTION 4. 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.

**Time effective**

SECTION 5. This act takes effect beginning with the 2021‑2022 School Year.

Ratified the 28th day of April, 2021.

Approved the 28th day of April, 2021.

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