**South Carolina General Assembly**

124th Session, 2021-2022

**A177, R181, S969**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Garrett, Kimbrell, Rice, Adams, Talley, Cash, M. Johnson, Gustafson, Hembree, Loftis, Shealy, Peeler, Climer, Gambrell, Turner and Verdin

Document Path: l:\s-res\bg\004us a.kmm.bg.docx

Companion/Similar bill(s): 3064

Introduced in the Senate on January 12, 2022

Introduced in the House on April 7, 2022

Last Amended on May 10, 2022

Passed by the General Assembly on May 12, 2022

Governor's Action: May 16, 2022, Signed

Summary: Board of Education

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/12/2022 Senate Introduced and read first time ([Senate Journal‑page 6](file:///h%3A%5Csj%5C20220112.docx))

 1/12/2022 Senate Referred to Committee on **Education** ([Senate Journal‑page 6](file:///h%3A%5Csj%5C20220112.docx))

 3/30/2022 Senate Committee report: Favorable with amendment **Education** ([Senate Journal‑page 10](file:///h%3A%5Csj%5C20220330.docx))

 3/31/2022 Scrivener's error corrected

 4/5/2022 Senate Committee Amendment Adopted ([Senate Journal‑page 32](file:///h%3A%5Csj%5C20220405.docx))

 4/5/2022 Senate Read second time ([Senate Journal‑page 32](file:///h%3A%5Csj%5C20220405.docx))

 4/5/2022 Senate Roll call Ayes‑41 Nays‑0 ([Senate Journal‑page 32](file:///h%3A%5Csj%5C20220405.docx))

 4/6/2022 Senate Read third time and sent to House ([Senate Journal‑page 34](file:///h%3A%5Csj%5C20220406.docx))

 4/7/2022 House Introduced and read first time

 4/7/2022 House Referred to Committee on **Education and Public Works**

 5/4/2022 House Committee report: Favorable with amendment **Education and Public Works** ([House Journal‑page 64](file:///h%3A%5Chj%5C20220504.docx))

 5/10/2022 House Amended ([House Journal‑page 245](file:///h%3A%5Chj%5C20220510.docx))

 5/10/2022 House Read second time ([House Journal‑page 245](file:///h%3A%5Chj%5C20220510.docx))

 5/10/2022 House Roll call Yeas‑104 Nays‑0 ([House Journal‑page 261](file:///h%3A%5Chj%5C20220510.docx))

 5/11/2022 House Read third time and returned to Senate with amendments ([House Journal‑page 9](file:///h%3A%5Chj%5C20220511.docx))

 5/12/2022 Senate Concurred in House amendment and enrolled ([Senate Journal‑page 81](file:///h%3A%5Csj%5C20220512.docx))

 5/12/2022 Ratified R 181 ([Senate Journal‑page 210](file:///h%3A%5Csj%5C20220512.docx))

 5/16/2022 Signed By Governor

 5/31/2022 Effective date 07/01/23

 5/31/2022 Act No.  177

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**VERSIONS OF THIS BILL**

[1/12/2022](file:///p%3A%5Cpprever%5C2021-22%5C969_20220112.docx)

[3/30/2022](file:///p%3A%5Cpprever%5C2021-22%5C969_20220330.docx)

[3/31/2022](file:///p%3A%5Cpprever%5C2021-22%5C969_20220331.docx)

[4/5/2022](file:///p%3A%5Cpprever%5C2021-22%5C969_20220405.docx)

[5/4/2022](file:///p%3A%5Cpprever%5C2021-22%5C969_20220504.docx)

[5/10/2022](file:///p%3A%5Cpprever%5C2021-22%5C969_20220510.docx)

(A177, R181, S969)

**AN ACT** **TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑1‑325 SO AS TO PROVIDE EVERY PUBLIC SCHOOL SHALL DISPLAY DEPICTIONS OF THE RESPECTIVE FLAGS AND MOTTOS OF THE UNITED STATES AND SOUTH CAROLINA BEFORE JANUARY 1, 2023, TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION AND PUBLIC SCHOOLS, AND TO MAKE THESE PROVISIONS APPLICABLE TO PRIVATE SCHOOLS THAT RECEIVE ANY PUBLIC FUNDING; BY ADDING SECTION 59‑1‑465 SO AS TO PROVIDE PUBLIC SCHOOL PRINCIPALS SHALL ALLOW YOUTH PATRIOTIC SOCIETY REPRESENTATIVES TO ADDRESS STUDENTS ON CERTAIN TOPICS DURING PATRIOT DAY, CONSTITUTION DAY, OR PATRIOTISM WEEK EVENTS, TO PROVIDE RELATED IMPLEMENTATION PROVISIONS, AND TO DEFINE RELATED TERMS; AND TO AMEND SECTION 53‑3‑150, RELATING TO PATRIOTISM WEEK OBSERVATIONS, SO AS TO MAKE SUCH OBSERVATIONS MANDATORY IN PUBLIC SCHOOL DISTRICTS AND TO INCLUDE MANDATORY OBSERVATIONS FOR PATRIOT DAY AND CONSTITUTION DAY, AMONG OTHER THINGS.**

Whereas, July 30, 2016, marked the 60th anniversary of “In God We Trust” as the official motto of the United States; and

Whereas, in 2011, by resolution of the United States House of Representatives, with the concurrence of the United States Senate, the United States Congress reaffirmed “In God We Trust” as the official motto of the United States and supported and encouraged the public display of the national motto in all public buildings, public schools, and other governmental institutions; and

Whereas, “In God We Trust” appears over the south entrance to the United States Senate Chamber and above the Speaker’s rostrum in the Chamber of the United States House of Representatives; and

Whereas, the motto has been an integral part of the society of the United States since its founding and first appeared on U.S. coins in 1864; and

Whereas, “*Dum spiro spero*”, which translates to “While I breathe, I hope” is perhaps the most well known of South Carolina’s two mottos and appears on the State Seal that was adopted in 1776; and

Whereas, reflecting the character and beliefs of the citizens of South Carolina, “*Dum spiro spero*” illustrates the inherent spirit of South Carolinians to overcome obstacles and face each day with the courage and determination to do what is just in the face of adversity; and

Whereas, “*Animis opibusque parati*”, which translates to “Prepared in Mind and Resources”, is the other South Carolina state motto. It is especially fitting that this motto appear in state schools, as it reflects the central aim of South Carolina’s education system. Now, therefore,

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

**Patriotic depictions in schools**

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

 “Section 59‑1‑325. (A) No later than January 1, 2023, every public school, to include state agency schools and charter schools, shall display the following depictions in a prominent place:

 (1) the official motto of the United States, ‘In God We Trust’;

 (2) the official mottos of South Carolina, ‘*Dum spiro spero*’ and ‘*Animis opibusque parati*’, and their respective translations;

 (3) an accurate representation of the United States flag; and

 (4) an accurate representation of the South Carolina state flag.

 The State Board of Education shall promulgate regulations specifying how the depictions shall be displayed.

 (B) The head of each public school shall ensure that the depictions required in subsection (A) are displayed in the manner adopted by the State Board of Education and as directed by the State Superintendent of Education. Nothing in this section shall prohibit the solicitation or acceptance of funds donated to achieve its purpose.

 (C) The provisions of this section also apply to any private school that receives any public funding.”

**Youth patriotic societies, public school event addresses**

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

 “Section 59‑1‑465. (A) As used in this section:

 (1) ‘Youth patriotic society’ means a youth membership organization with an educational purpose aligned with state standards located in South Carolina and listed herein, intended to promote patriotism and kindred virtues among elementary, middle, and high school students:

 (a) Big Brothers ‑ Big Sisters of America;

 (b) Boy Scouts of America;

 (c) Boys and Girls Clubs of America;

 (d) Future Farmers of America;

 (e) Girl Scouts of the United States of America.

 (2) ‘Patriot Day’ means the eleventh day of September as provided in Section 53‑3‑160.

 (3) ‘Constitution Day’ means the seventeenth day of September, as designated by the United States Congress in 2005.

 (4) ‘Patriotism Week’ means the annual Patriotism Week observation in the week that includes the eleventh day of November provided in Section 53‑3‑150.

 (B) The principal of each elementary school, middle school, and high school shall allow representatives of youth patriotic societies, providing notice to the principal and approved pursuant to subsection (C), the opportunity to speak with students during the week of Patriot Day, the week of Constitution Day, or Patriotism Week events to inform the students of how their involvement in the youth patriotic society may further the student’s educational interest and civic involvement to improve their schools, communities, and themselves. A youth patriotic society allowed to speak with students pursuant to this section may speak during the school day to students for at least ten minutes. A school may observe Constitution Day and Patriot Day during a single event and is not required to:

 (1) allocate more than thirty minutes during any one of the above‑referenced weeks for use by youth patriotic societies under the provisions of this section annually, allocated equally among the requesting youth patriotic societies: or

 (2) allow a youth patriotic society to speak pursuant to this section more than once each school year.

 (C) A youth patriotic society shall provide thirty days written or verbal notice to the principal of the society’s intent to address students pursuant to subsection (B). The principal shall provide verbal or written approval indicating the specific date and time for the society to address the students and the location where the address may occur. Only if no patriotic youth societies request the opportunity to address students during any of the above‑referenced weeks shall a school be considered to have fulfilled the requirements of this section if it incorporates the curricula pursuant to Section 53‑3‑150(B)(2) into lesson plans for all students during the applicable week.”

**Patriot Day, Constitution Day, and Patriotism Week observations**

SECTION 3. Section 53‑3‑150(B) of the 1976 Code is amended to read:

 “(B) The State Superintendent of Education shall require school districts to:

 (1) observe ‘Patriot Day’, ‘Constitution Day’, and ‘Patriotism Week’ by holding appropriate ceremonies, events, and assemblies on school grounds, including time allotted for youth patriotic society addresses to students as provided in Section 59‑1‑465; and

 (2) develop appropriate curricula that focus on the purposes of ‘Patriot Day’, ‘Constitution Day’, and ‘Patriotism Week’.”

**Time effective**

SECTION 4 The provisions of this act take effect July 1, 2023.

Ratified the 12th day of May, 2022.

Approved the 16th day of May, 2022.

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