**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 60‑11‑75 SO AS TO PROVIDE INSCRIPTIONS AND DEPICTIONS ON HISTORICAL MONUMENTS AND MEMORIALS ON PROPERTY OWNED BY POLITICAL SUBDIVISIONS OF THE STATE OR SCHOOL DISTRICTS ARE SUBJECT TO REVIEW AND APPROVAL BY THE DEPARTMENT OF ARCHIVES AND NATURAL HISTORY, AND TO PROVIDE RELATED REQUIREMENTS FOR A RELATED REVIEW AND APPROVAL PROCESS; AND TO AMEND SECTION 60‑11‑30, RELATING TO OBJECTS AND PURPOSES OF THE DEPARTMENT, SO AS TO INCLUDE THE APPROVAL OF SUCH INSCRIPTIONS, DEPICTIONS, AND MESSAGES.

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

SECTION 1. Article 1, Chapter 11, Title 60 of the 1976 Code is amended by adding:

“Section 60‑11‑75. (A) The department shall review and approve all inscriptions and depictions on all historical monuments and memorials located on property owned by a political subdivision of the State or a school district.

(B) The department:

(1) shall ensure the content of the depiction, inscription, or message is historically accurate and free of any editorial comments or subjective analysis and, when related to an historical monument, also shall ensure the content is limited to the key historical facts related to the specific figure or event being memorialized by the monument except the name of the person or organization who paid for the monument, the date it was erected, and the name of the sculptor, if applicable, also may be included;

(2) shall, in the case of historical monuments, consult with the organization that provided the monument in the development of the language if the organization still exists;

(3) shall provide a forty‑five day public review period for language that has received preliminary approval from the department. The public may challenge any part of the language based on item (1) and the department shall respond in writing and clearly state its reasons for agreeing or disagreeing with any challenge presented during the public review period; and

(4) may establish a related review and approval process and related fees.

(C) The provisions of this section do not apply to such historical monuments and memorials in place before January 1, 2021. All historical plaques, historical markers, or other messages put in place before enactment of this section, but after December 31, 2020, must be removed if the department finds they violate subsection (B)(1). Upon notification by the department, the responsible governmental entity shall remove the historical plaque, historical marker, or other message within three business days.”

SECTION 2. Section 60‑11‑30(6) of the 1976 Code is amended to read:

“(6) The approval of the inscriptions ~~for all historical markers or other monuments erected on State highways or other State property~~ and depictions for all historical monuments and memorials located on state highways or other state‑owned property, or on property owned by a political subdivision of the State or a school district, including ensuring that the content of any such depictions, inscriptions, or messages are historically accurate and free from any editorial comments or subjective analysis;”

SECTION 3. This act takes effect upon approval by the Governor.

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