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Indicates New Matter

COMMITTEE REPORT

March 10, 2022

**S. 923**

Introduced by Senators Turner, Hutto, Peeler, Martin, Climer, Bennett, Talley, Corbin, Senn, Shealy, Loftis and Alexander

S. Printed 3/10/22--S. [SEC 3/11/22 12:03 PM]

Read the first time December 7, 2021.

**THE COMMITTEE ON EDUCATION**

To whom was referred a Bill (S. 923) to amend the Code of Laws of South Carolina, 1976, by adding Section 59‑1‑465 so as to provide necessary definitions, to provide youth patriotic societies may, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. 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; or

(f) other organizations also intended to promote patriotism and kindred virtues among elementary, middle, or high school students as may be included upon the organization’s request and subsequent approval by a majority vote of the State Board of Education.

(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 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 abovereferenced 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.”

SECTION 2. Section 53‑3‑150(B) of the 1976 Code is amended to read:

“(B) The State Superintendent of Education shall ~~encourage~~ 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’.

SECTION 3. The provisions of this act take effect July 1, 2023./

Renumber sections to conform.

Amend title to conform.

GREG HEMBREE for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**State Expenditure**

This bill requires the principal of each elementary, middle, and high school to allow representatives of the youth patriotic societies the opportunity to speak with students for ten minutes during Patriotism Week. A school is not required to allocate more than thirty minutes for use by youth patriotic societies annually. After receiving notice of a society’s intent to address students, the principal of the school must provide verbal or written approval indicating the date and time for the society to address the students. Additionally, the bill requires the State Superintendent of Education to require, instead of encourage, school districts to observe Patriotism Week and include time allotted for youth patriotic society addresses to students during the specified Patriotism Week in November.

**State Department of Education.**  SCDE indicates that this bill will have no expenditure impact on the agency since enforcement of the bill can be accomplished within the normal course of agency business.

**State Agency Schools.** The Wil Lou Gray Opportunity School, the Governor’s School for the Arts and Humanities, the Governor’s School for Science and Mathematics, the Governor’s School for Agriculture at John de la Howe, and the School for the Deaf and Blind indicate that the bill will have no expenditure impact since the agencies can adhere to the provisions of the bill within existing appropriations.

**Local Expenditure**

This bill requires the principal of each elementary, middle, and high school to allow representatives of the youth patriotic societies the opportunity to speak with students for ten minutes during Patriotism Week. A school is not required to allocate more than thirty minutes for use by youth patriotic societies annually. Districts are also required, instead of encouraged, to observe Patriotism Week.

SCDE anticipates that the public school districts will be able to manage the Patriotism Week requirements within their existing budgets. Therefore, the bill is not expected to have an expenditure impact on local school districts.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑1‑465 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE YOUTH PATRIOTIC SOCIETIES MAY ADDRESS PUBLIC SCHOOL STUDENTS DURING PATRIOTISM WEEK ABOUT HOW INVOLVEMENT IN THE YOUTH PATRIOTIC SOCIETY MAY FURTHER THE EDUCATIONAL INTEREST AND CIVIC INVOLVEMENT OF THE STUDENTS, AND TO PROVIDE RELATED PROCEDURES AND REQUIREMENTS; TO AMEND SECTION 53‑3‑150, RELATING TO PATRIOTISM WEEK, SO AS TO MAKE OBSERVATION OF PATRIOTISM WEEK IN PUBLIC SCHOOLS MANDATORY INSTEAD OF OPTIONAL, AND TO PROVIDE THIS OBSERVATION MUST INCLUDE TIME ALLOCATED FOR YOUTH PATRIOTIC SOCIETIES TO ADDRESS STUDENTS AS PROVIDED IN THIS ACT; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2022.

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

SECTION 1. 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 listed in 36 U.S.C. Subtitle II, Part B, intended to promote patriotism and kindred virtues among boys, girls, or both; and

(2) ‘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 the opportunity to speak with students during 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 subsection may speak to students for ten minutes. A school is not required to allocate more than thirty minutes for use by youth patriotic societies under the provisions of this section annually.

(C) A youth patriotic society shall provide 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.”

SECTION 2. Section 53‑3‑150(B) of the 1976 Code is amended to read:

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

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

(2) develop appropriate curricula that focus on the purposes of ‘Patriotism Week’.”

SECTION 3. The provisions of this act take effect July 1, 2022.

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