**South Carolina General Assembly**

125th Session, 2023-2024

**H. 3415**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Chumley, Burns and Pace

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Introduced in the House on January 10, 2023

Currently residing in the House Committee on **Judiciary**

Summary: African-American Confederate Veterans Monument

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/8/2022 House Prefiled

 12/8/2022 House Referred to Committee on **Judiciary**

 1/10/2023 House Introduced and read first time (House Journal‑page 162)

 1/10/2023 House Referred to Committee on **Judiciary** (House Journal‑page 162)

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**VERSIONS OF THIS BILL**

[12/08/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/3415_20221208.docx)

A bill

to amend the South Carolina Code of Laws by adding Section 10‑1‑181 so as to PROVIDE FOR AN AFRICAN AMERICAN CONFEDERATE VETERANS MONUMENT; AND BY ADDING SECTION 10‑1‑182 SO AS TO ESTABLISH AN AFRICAN AMERICAN CONFEDERATE VETERANS MONUMENT COMMISSION, TO PROVIDE THE COMPOSITION OF THE COMMISSION, TO PROVIDE THE POWERS AND DUTIES OF THE COMMISSION, TO ESTABLISH A DEADLINE FOR THE SUBMISSION OF A PROPOSED DESIGN AND LOCATION OF THE MONUMENT, AND TO PROVIDE FOR THE DISSOLUTION OF THE COMMISSION.

Whereas, the South Carolina General Assembly finds that the contributions made by African Americans in service to the State of South Carolina during the War Between the States are not reflected in the South Carolina Social Studies Academic Standards, curriculums of local educational agencies, posteducational agencies, and historical institutions and agencies, and while there is representation of those African Americans from South Carolina who took up arms for the Union, there is nothing to show the contributions, sacrifices, and honor of their Confederate counterparts; and

Whereas, it is reflected in our state records that in the 1920s, hundreds of still living African American Confederate pensioners drew pensions in relation to their service to our State, but their contributions and service are not included in the current academic standards; and

Whereas, we find the exclusion of African American Confederate soldiers in the current academic standards to be completely unacceptable, that this type of manipulation and exclusion of facts in historic record and representation creates a distorted perspective of our State and national history, and to exclude, neglect, or otherwise disregard the contributions of African American Confederate soldiers is a gross disrespect to their service and memory; and

Whereas, all people should know of, and remember, African American Confederate soldiers who served South Carolina and the United States during the War Between the States and others, and it is in fact vital to educate our citizens on their stories during the war and afterwards; and

Whereas, it is the policy of the State of South Carolina that the history of the African American Confederate soldiers, the depth of their impact in our society, and the triumphs of African American Confederate soldiers and their significant contributions to the development of this State and our nation is the proper concern of all people, particularly students enrolled in the schools of the State of South Carolina; and

Whereas, it is therefore desirable to create an organized body to survey, design, encourage, and promote the implementation of education and awareness programs in South Carolina concerned with African American Confederate soldiers’ stories and the contributions of African American Confederate soldiers in building our State and country, to develop workshops, institutes, seminars, and other teacher training activities designed to educate teachers on this subject matter, and to be responsible for the coordination of events on a regular basis, throughout the State, that provide appropriate memorialization of the events concerning African American Confederate soldiers and their descendants in South Carolina and the United States, as well as their contributions. Now, therefore,

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

SECTION 1. Chapter 1, Title 10 of the S.C. Code is amended by adding:

 Section 10‑1‑181. Notwithstanding the provisions of Section 2‑1‑240, there is hereby established on the grounds of the State House an African American Confederate Veterans Monument. The design and location of the monument shall be determined by the commission appointed pursuant to Section 10‑1‑182. The commission shall make reasonable efforts to incorporate the names of Charles Dougherty Hayne and all African American Confederate veterans on this monument. The monument must be erected as soon as is reasonably possible after the design plan has been approved by the General Assembly by concurrent resolution.

 Section 10‑1‑182. (A) An African American Confederate Veterans Monument Commission is created to determine the design of the monument to Charles Dougherty Hayne and all African American Confederate veterans and its location on the State House grounds. The commission is empowered and directed to raise private funds and may receive gifts and grants to carry out its purpose. The commission has the power to create a tax‑exempt nonprofit corporation for the purpose of receiving and disbursing funds for the monument. The staff of the Department of Administration shall assist with the preparation and maintenance of financial records. The financial records are public records except that the names of anonymous donors must not be disclosed.

 (B) The commission is composed of eleven members, including:

 (1) the Chairman of the South Carolina Confederate Relic Room and Military Museum or his designee, to serve as chairman of the commission;

 (2) five members appointed by the Speaker of the House of Representatives; and

 (3) five members appointed by the President of the Senate.

 (C) The commission shall consult with the South Carolina Confederate Relic Room and Military Museum to determine and confirm the names of African American Confederate veterans to be placed on the monument.

 (D) By July 1, 2023, the commission must report the proposed design and location of the monument to the State House Committee for its approval.

 (E) The commission is dissolved on January 1, 2027. The commission must be dissolved earlier if the monument is dedicated and the final report is made before the dissolution date. If the African American Confederate Veterans Monument has not been dedicated by January 1, 2027, the powers, duties, and responsibilities of the commission must be transferred to the State House Committee.

SECTION 2. This act takes effect upon approval by the Governor.

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