**South Carolina General Assembly**

125th Session, 2023-2024

**H. 3591**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Reps. G.M. Smith, Taylor, B. Newton, West, Pace, Haddon, Yow, W. Newton, Felder, Thayer, McCravy, Cromer, Hixon, Elliott, Erickson, Caskey, Pope, Leber, Hartnett, Bustos, Landing and M.M. Smith

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Introduced in the House on January 10, 2023

Introduced in the Senate on March 1, 2023

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

Summary: Constitutional amendment

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/15/2022 House Prefiled

12/15/2022 House Referred to Committee on **Judiciary**

1/10/2023 House Introduced and read first time ([House Journal‑page 221](h:\hj\20230110.docx))

1/10/2023 House Referred to Committee on **Judiciary** ([House Journal‑page 221](h:\hj\20230110.docx))

1/12/2023 House Member(s) request name added as sponsor: Yow

1/19/2023 House Member(s) request name added as sponsor: W. Newton

1/31/2023 House Member(s) request name added as sponsor: Felder

2/2/2023 House Member(s) request name added as sponsor: Thayer

2/16/2023 House Committee report: Favorable **Judiciary** ([House Journal‑page 5](h:\hj\20230216.docx))

2/21/2023 House Member(s) request name added as sponsor: McCravy,
Cromer, Hixon, Elliott

2/21/2023 House Requests for debate-Rep(s). Ott, Hiott, Pope, Felder, Ligon, T Moore, McCravy, Crawford, BL Cox, Pace, Magnuson, Harris, Hixon, Taylor, Henegan, Beach, Cromer, Hewitt, Anderson, Hosey, Gilliard, Pendarvis, Bamberg, W Newton, Garvin, Hart, Robbins, Murphy, Brewer, White, Hartnett, Leber, Dillard, May ([House Journal‑page 17](h:\hj\20230221.docx))

2/22/2023 House Member(s) request name added as sponsor: Erickson

2/23/2023 House Debate adjourned until Tues,. 2-28-23 ([House Journal‑page 28](h:\hj\20230223.docx))

2/28/2023 House Member(s) request name added as sponsor: Caskey,
Pope, Leber, Hartnett, Bustos, Landing,
M.M. Smith

2/28/2023 House Read second time ([House Journal‑page 18](h:\hj\20230228.docx))

2/28/2023 House Roll call Yeas-83 Nays-27 ([House Journal‑page 19](h:\hj\20230228.docx))

3/1/2023 House Read third time and sent to Senate ([House Journal‑page 13](h:\hj\20230301.docx))

3/1/2023 Senate Introduced and read first time ([Senate Journal‑page 5](h:\sj\20230301.docx))

3/1/2023 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 5](h:\sj\20230301.docx))

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3591&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[12/15/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/3591_20221215.docx)

[02/16/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3591_20230216.docx)

Committee Report

February 16, 2023

H. 3591

Introduced by Reps. G. M. Smith, Taylor, B. Newton, West, Pace, Haddon, Yow, W. Newton, Felder and Thayer

S. Printed 02/16/23--H.

Read the first time January 10, 2023

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The committee on House Judiciary

To who was referred a Joint Resolution (H. 3591) proposing an amendment to repeal Section 4, Article XI of the Constitution of South Carolina, 1895, relating to the prohibition against the State or its political, etc., respectfully

Report:

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

WM. WESTON J. NEWTON for Committee.

statement of estimated fiscal impact

Explanation of Fiscal Impact

State Expenditure

This joint resolution proposes to repeal Section 4, Article XI of the State Constitution, which currently states that no money shall be paid from public funds nor shall the credit of the State or any of its political subdivisions be used for the direct benefit of any religious or other private educational institution. This proposal must be placed on the ballots of the next general election, which will occur in November 2024.

The State Election Commission will ensure that the proposed amendment appears on the ballots at the next general election and produce handouts and posters related to this proposal. The agency anticipates the cost associated with the additional responsibilities from this joint resolution will be minimal and can be managed with existing staff and within existing appropriations. Therefore, this bill will have no expenditure impact for the State Election Commission.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

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A joint Resolution

PROPOSING AN AMENDMENT TO REPEAL SECTION 4, ARTICLE XI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE PROHIBITION AGAINST THE STATE OR ITS POLITICAL SUBDIVISIONS PROVIDING DIRECT AID TO RELIGIOUS OR OTHER PRIVATE EDUCATIONAL INSTITUTIONS.

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

SECTION 1. It is proposed that Section 4, Article XI of the Constitution of this State be repealed, which section presently reads:

No money shall be paid from public funds nor shall the credit of the State or any of its political subdivisions be used for the direct benefit of any religious or other private educational institution.

SECTION 2. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Section 4, Article XI of the Constitution of this State be repealed so as to eliminate the prohibition against the State or its political subdivisions providing direct aid to religious or other private educational institutions?

Yes 

No 

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

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