**South Carolina General Assembly**

122nd Session, 2017-2018

**S. 43**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Grooms

Document Path: l:\s-res\lkg\002foun.kmm.lkg.docx

Introduced in the Senate on January 10, 2017

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

Summary: High school study of U.S. Constitution

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/13/2016 Senate Prefiled

12/13/2016 Senate Referred to Committee on **Education**

1/10/2017 Senate Introduced and read first time ([Senate Journal‑page 36](file:///h:\sj\20170110.docx))

1/10/2017 Senate Referred to Committee on **Education** ([Senate Journal‑page 36](file:///h:\sj\20170110.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=43&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/13/2016](file:///p:\pprever\2017-18\43_20161213.docx)

**A** **BILL**

TO AMEND SECTION 59-29-120(A) OF THE 1976 CODE, RELATING TO THE STUDY OF THE UNITED STATES CONSTITUTION, TO PROVIDE THAT EACH PUBLIC HIGH SCHOOL MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH STUDENT FOR AT LEAST ONE YEAR; TO AMEND SECTION 59‑29‑130, TO FURTHER PROVIDE FOR THE INSTRUCTION OF OUR NATION’S FOUNDATIONAL DOCUMENTS IN HIGH SCHOOL; AND TO REPEAL SECTION 59‑29‑140.

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

SECTION 1. Section 59‑29‑120(A) of the 1976 Code is amended to read:

“Section 59‑29‑120. (A)(1) All public high schools~~, colleges, and universities in this State that are sustained or in any manner supported by public funds shall~~ must give instruction in the essentials of the United States Constitution, the Declaration of Independence, and the Federalist Papers, including the study of ~~and devotion to~~ American institutions and ideals~~, and no~~. No student in any such school~~, college, or university~~ may receive a certificate of graduation without previously passing a satisfactory examination upon the provisions and principles of the United States Constitution, the Declaration of Independence, and the Federalist Papers~~, and, if a citizen of the United States, satisfying the examining power of his loyalty thereto~~.

(2) Each public high school must provide the instruction required in (A)(1) to each student for at least one year, or its equivalent, during high school.”

SECTION 2. Section 59‑29‑130 of the 1976 Code is amended to read:

“Section 59‑29‑130. (A) ~~The instruction provided for in Section 59‑29‑120 shall be given for at least one year of the high school, college and university grades, respectively.~~ All public institutions of higher learning, as defined in Section 59‑103‑5, must provide instruction in the essentials of the United States Constitution, the Declaration of Independence, and the Federalist Papers, including the study of American institutions and ideals. No public institution of higher learning may grant a certificate of graduation for any baccalaureate degree program to any student unless he successfully completes the requirements described in subsection (B).

(B)(1) Each public institution of higher learning must require each undergraduate student to complete no fewer than three credit hours in the subject of American government. Each undergraduate student must be required to:

(a) read the United States Constitution in its entirety;

(b) read the Declaration of Independence in its entirety;

(c) read a minimum of five essays in their entirety from the Federalist Papers as selected by an instructor; and

(d) pass a comprehensive examination testing for student proficiency in the provisions and principles of the United States Constitution, the Declaration of Independence, and the Federalist Papers; or

(2) A public institution of higher learning may exempt a student who has completed three credit hours in an Advanced Placement or dual‑credit course with a passing grade in the subject of American government according to the requirements described in subsection (B)(1), provided that the completed three credit hours in an Advanced Placement or dual‑credit course satisfy the requirements of subsection (B)(1).

(C) Public institutions of higher learning must ensure the requirements of this section are incorporated into the degree requirements of all undergraduate degree programs in a manner that:

(1) does not add to the total number of credit hours for any degree; and

(2) does not conflict with any school accreditation process.

(D)(1) The board of trustees of a public institution of higher learning must ensure compliance with all the provisions of this section.

(2) The board must annually collect information necessary to ensure the public institution of higher learning is in compliance with this section. The information must be reported annually to the chairman of the House Ways and Means Committee, the chairman of the House Education and Public Works Committee, the chairman of the Senate Finance Committee, the chairman of the Senate Education Committee, and the chairman of the Commission on Higher Education.”

SECTION 3. Section 59‑29‑140 of the 1976 Code is repealed.

SECTION 4. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 5. Section 59‑29‑130 applies to the first incoming undergraduate freshman class entering a public institution of higher learning after the effective date of this act and each subsequent undergraduate class thereafter. Nothing contained in Section 59‑29‑130 may be construed to prevent an undergraduate student enrolled in a public institution of higher learning on the effective date of this act from receiving a certificate of graduation.

SECTION 6. This act takes effect one year after approval by the Governor.

‑‑‑‑XX‑‑‑‑