**South Carolina General Assembly**

124th Session, 2021-2022

**H. 4340**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. J.L. Johnson, Brawley, Henegan, Garvin, Hosey, Clyburn, Gilliard, Jefferson and Robinson

Document Path: l:\council\bills\jn\3417ph21.docx

Companion/Similar bill(s): 4317

Introduced in the House on May 5, 2021

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

Summary: Sarah Mae Flemming Day

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

5/5/2021 House Introduced and read first time

5/5/2021 House Referred to Committee on **Judiciary**

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4340&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[5/5/2021](file:///p:\pprever\2021-22\4340_20210505.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53‑3‑87 SO AS TO DECLARE JUNE TWENTY‑SECOND OF EACH YEAR AS “SARAH MAE FLEMMING DAY” IN SOUTH CAROLINA IN HONOR OF HER EARLY CONTRIBUTION TO THE CIVIL RIGHTS MOVEMENT IN SOUTH CAROLINA.

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

Whereas, Sarah Mae Flemming, the forerunner of Rosa Parks, for many years remained an unsung hero in the annals of civil rights. It was a little‑publicized civil rights case involving public transportation in Columbia that helped Rosa Parks and her lawyers prevail in a lawsuit challenging segregation on buses in Montgomery, Alabama. This case became the Flemming legacy; and

Whereas, Flemming was born on June 28, 1933, in the midst of the Great Depression, the eldest of Mack and Rosetta Flemming’s seven children. The granddaughter of slaves, Flemming grew up on her family’s own land: one hundred thirty acres, five miles north of what is now downtown Eastover. She would eventually die of a heart attack on that same land, just shy of her sixtieth birthday; and

Whereas, Flemming slipped into history the morning of June 22, 1954, when she, a Black maid, took a front seat on a then segregated city bus operated by South Carolina Electric and Gas (SCE&G). The line dividing the races on South Carolina buses served as one of the most visible daily reminders of segregation. Enforced by bus drivers vested with the powers of a deputy sheriff, the line was inscribed into a body of state laws that had for three generations separated Blacks and Whites. On Columbia buses, the color line shifted, depending on whether more Black or White people were riding. One thing remained firm: Whites never sat behind Blacks. On that historic morning, Flemming took a seat in what she deemed an appropriate area; and

Whereas, after she had taken her seat, a White Columbia bus driver humiliated the 20‑year‑old Black woman from Eastover, blocking her with his arm and accusing her of sitting in the “Whites only” part of the bus. Through this incident, which occurred seventeen months before Rosa Parks took her stand against segregation on city buses in Montgomery, Alabama, Flemming challenged segregation on SCE&G buses in Columbia; and

Whereas, encouraged by several well‑known civil rights activists and attorneys, she filed suit against SCE&G. Rebuffed in federal court in Columbia, Flemming’s case traveled to the 4th U.S. Circuit Court of Appeals in Richmond, which struck down segregation on city buses. The ruling was widely ignored but is cited in the decision on the far better publicized Rosa Parks case, which led to the end of segregated buses; and

Whereas, in 1955, Flemming’s win in court was big news in Black newspapers across the country. The bigger news is that this young woman, in the face of Southern Jim Crow politics, took a step that forever changed the face of civil rights in the South. Now, therefore,

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

SECTION 1. Chapter 3, Title 53 of the 1976 Code is amended by adding:

“Section 53‑3‑87. June twenty‑second of each year, the date on which Sarah Mae Flemming challenged segregation on city buses in Columbia, South Carolina, is declared to be ‘Sarah Mae Flemming Day’ in South Carolina.”

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

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