**South Carolina General Assembly**

125th Session, 2023-2024

**H. 3283**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Burns, Chumley, Magnuson, Kilmartin, Beach, Harris, Guffey and Yow

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Introduced in the House on January 10, 2023

Currently residing in the House

Summary: School attendance requirements

**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 **Education and Public Works**

 1/10/2023 House Introduced and read first time (House Journal‑page 120)

 1/10/2023 House Referred to Committee on **Education and Public Works** (House Journal‑page 120)

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

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**VERSIONS OF THIS BILL**

[12/08/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/3283_20221208.docx)

A bill

to amend the South Carolina Code of Laws by amending Section 59‑63‑30, relating to QUALIFICATIONS FOR ATTENDING PUBLIC SCHOOLS, so as to PROVIDE COVID‑19 VACCINATION STATUS MAY NOT DISQUALIFY A STUDENT FROM ATTENDING A PUBLIC SCHOOL OR ANY OTHER INSTITUTION THAT RECEIVES PUBLIC FUNDS IN ANY AMOUNT; and by amending Section 44‑29‑180, relating to STUDENT VACCINATION REQUIREMENTS IMPOSED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, so as TO PROHIBIT THE DEPARTMENT AND THE GOVERNING BODY OF ANY PUBLIC SCHOOL OR ANY OTHER INSTITUTION THAT RECEIVES PUBLIC FUNDS IN ANY AMOUNT FROM REQUIRING COVID‑19 VACCINATIONS FOR STUDENTS.

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

SECTION 1. Section 59‑63‑30 of the S.C. Code is amended to read:

 Section 59‑63‑30. (A) Children within the ages prescribed by Section 59‑63‑20 shall be entitled to attend the public schools of any school district, without charge and regardless of COVID-19 vaccination status, only if qualified under the following provisions of this section:

 (a) Such child resides with its parent or legal guardian;

 (b) The parent or legal guardian, with whom the child resides, is a resident of such school district; or

 (c) The child owns real estate in the district having an assessed value of three hundred dollars or more; and

 (d) The child has maintained a satisfactory scholastic record in accordance with scholastic standards of achievement prescribed by the trustees pursuant to Section 59‑19‑90; and

 (e) The child has not been guilty of infraction of the rules of conduct promulgated by the trustees of such school district pursuant to Section 59‑19‑90.

 (B) The COVID-19 vaccination status of a student may not disqualify a K-12 student from attending a public school or any other institution of learning that receives any public funding in any amount.

SECTION 2. Section 44-29-180(A) of the S.C. Code is amended to read:

 (A) No superintendent of an institution of learning, no school board or other governing body of a school, or principal or headmaster of a school, and no or owner or operator of a public or private childcare facility as defined in Section 63-13-20 may admit as a pupil or enroll or retain a child or person who cannot produce satisfactory evidence of having been vaccinated or immunized so often as directed by the Department of Health and Environmental Control; provided, however, that a student in kindergarten through twelfth grade may not be directed by the department or required by a school, its governing body, or its administrators to receive a COVID-19 vaccination or booster as a condition for admission or attendance, regardless of whether the school is a public school or any other institution that receives public funds in any amount. Records of vaccinations or immunizations must be maintained by the institution, school, or day care facility to which the child or person has been admitted.

SECTION 3. This act takes effect upon approval by the Governor.

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