**South Carolina General Assembly**

125th Session, 2023-2024

**A40, R48, H3797**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. B.J. Cox, G.M. Smith, Beach, W. Newton, Williams, McCravy, Long, Hixon, Taylor, Oremus, Blackwell, Erickson and Bradley

Companion/Similar bill(s): 556

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Introduced in the House on January 25, 2023

Introduced in the Senate on February 22, 2023

Last Amended on May 9, 2023

Currently residing in the House

Summary: Military Temporary Remote School Enrollment Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/25/2023 House Introduced and read first time ([House Journal‑page 8](h:\hj\20230125.docx))

1/25/2023 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 8](h:\hj\20230125.docx))

2/15/2023 House Committee report: Favorable **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 2](h:\hj\20230215.docx))

2/16/2023 House Member(s) request name added as sponsor: W.
Newton, Williams

2/21/2023 House Member(s) request name added as sponsor: McCravy,
Long, Hixon, Taylor, Oremus, Blackwell,
Erickson, Bradley

2/21/2023 House Read second time ([House Journal‑page 30](h:\hj\20230221.docx))

2/21/2023 House Roll call Yeas-120 Nays-0 ([House Journal‑page 31](h:\hj\20230221.docx))

2/22/2023 House Read third time and sent to Senate ([House Journal‑page 7](h:\hj\20230222.docx))

2/22/2023 Senate Introduced and read first time ([Senate Journal‑page 6](h:\sj\20230222.docx))

2/22/2023 Senate Referred to Committee on **Education** ([Senate Journal‑page 6](h:\sj\20230222.docx))

4/12/2023 Senate Committee report: Favorable with amendment **Education** ([Senate Journal‑page 10](h:\sj\20230412.docx))

4/13/2023 Scrivener's error corrected

5/9/2023 Senate Committee Amendment Adopted ([Senate Journal‑page 61](h:\sj\20230509.docx))

5/9/2023 Senate Read second time ([Senate Journal‑page 61](h:\sj\20230509.docx))

5/9/2023 Senate Roll call Ayes-44 Nays-0 ([Senate Journal‑page 61](h:\sj\20230509.docx))

5/10/2023 Senate Read third time and returned to House with amendments ([Senate Journal‑page 13](h:\sj\20230510.docx))

5/11/2023 House Concurred in Senate amendment and enrolled ([House Journal‑page 43](h:\hj\20230511.docx))

5/11/2023 House Roll call Yeas-112 Nays-0 ([House Journal‑page 44](h:\hj\20230511.docx))

5/11/2023 Ratified R 48

5/16/2023 Signed By Governor

5/26/2023 Effective date 05/16/23

5/26/2023 Act No. 40

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**VERSIONS OF THIS BILL**

[01/25/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3797_20230125.docx)

[02/15/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3797_20230215.docx)

[04/13/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3797_20230413.docx)

[05/09/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3797_20230509.docx)

5/26/2023 Act No. 40

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[04/13/2023](https://www.scstatehouse.gov//sess125_2023-2024/prever/3797_20230413.htm)

[05/09/2023](https://www.scstatehouse.gov//sess125_2023-2024/prever/3797_20230509.htm)

(A40, R48, H3797)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS by enacting THE “MILITARY TEMPORARY REMOTE SCHOOL ENROLLMENT ACT” BY ADDING SECTION 59‑63‑33 SO AS TO PROVIDE PUBLIC SCHOOL PUPILS COMPLY WITH SCHOOL ENROLLMENT REQUIREMENTS IF THEIR PARENTS ARE TRANSFERRED TO OR ARE PENDING TRANSFER TO MILITARY INSTALLATIONS IN THIS STATE WHILE ON ACTIVE MILITARY DUTY PURSUANT TO OFFICIAL MILITARY ORDERS, TO PROVIDE SCHOOL DISTRICTS SHALL ACCEPT APPLICATIONS FOR ENROLLMENT AND COURSE REGISTRATION FROM SUCH PUPILS BY ELECTRONIC MEANS, TO PROVIDE PARENTS OF SUCH STUDENTS SHALL PROVIDE CERTAIN PROOF OF RESIDENCE AFTER ARRIVAL, TO PROVIDE THE PROVISIONS OF THIS ACT APPLY NOTWITHSTANDING ANOTHER PROVISION OF LAW, TO PROVIDE AMBIGUITIES IN CONSTRUING THE PROVISIONS OF THIS ACT MUST BE RESOLVED IN FAVOR OF ENROLLMENT, AND TO DEFINE NECESSARY TERMINOLOGY.

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

Citation

SECTION 1. This act may be cited as the “Military Temporary Remote School Enrollment Act”.

Residency requirements compliance, enrollment, proof, construction

SECTION 2. Article 1, Chapter 63, Title 59 of the S.C. Code is amended by adding:

Section 59‑63‑33. (A) A pupil complies with the residency requirements for school attendance in a school district if a parent or legal guardian of the pupil is transferred to or is pending transfer to a military installation within this State while on active military duty pursuant to an official military order.

(B) A school district shall accept an application for enrollment and course registration by electronic means for a pupil who meets the requirements prescribed in subsection (A), including enrollment in a specific school or program within the school district.

(C)(1) The parent or legal guardian of a pupil who meets the requirement prescribed in subsection (A) shall provide proof of residence to the school district after arrival. The parent or legal guardian may use the address of any of the following as proof of residence for the purposes of this subsection:

(a) a temporary on‑base billeting facility;

(b) a purchased or leased home or apartment; or

(c) any federal government housing or off‑base military housing, including off‑base military housing that may be provided through a public‑private venture.

(2) In determining what documentation may be considered acceptable for complying with the provisions of item (1), a district shall consider that traditional forms of documentation, such as utility bills or tax bills, would not be available for newly relocated military personnel.

(D) The provisions of this section apply notwithstanding the provisions of Sections 59‑63‑30, 59‑63‑31, 59‑63‑32, or another provision of law.

(E) Any ambiguity in construing the provisions of this section must be resolved in favor of enrolling the pupil.

(F) For the purposes of this section:

(1) “Active military duty” means full‑time military duty status in the active uniformed service of the United States, including members of the National Guard and the State Military Reserve on active duty orders.

(2) “Military installation” means a base, camp, post, station, yard, center, homeport facility for any ship, or other installation.

Time effective

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

Ratified the 11th day of May, 2023.

Approved the 16th day of May, 2023.

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