**South Carolina General Assembly**

121st Session, 2015-2016

**H. 4962**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Whipper, Cobb‑Hunter, Hosey, Jefferson, Mack and Gilliard

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Companion/Similar bill(s): 1071

Introduced in the House on February 23, 2016

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

Summary: Flags

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/23/2016 House Introduced and read first time ([House Journal‑page 35](file:///h:\HJ%20Archive\2016\02-23-16.docx))

2/23/2016 House Referred to Committee on **Judiciary** ([House Journal‑page 35](file:///h:\HJ%20Archive\2016\02-23-16.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4962&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/23/2016](file:///p:\pprever\2015-16\4962_20160223.docx)

**A** **BILL**

TO AMEND SECTION 10‑1‑165, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROTECTION OF CERTAIN MONUMENTS AND MEMORIALS, SO AS TO ALLOW A WAR BETWEEN THE STATES FLAG TO BE REMOVED FROM A CHAPEL OR OTHER STRUCTURE HAVING A RELIGIOUS PURPOSE THAT IS LOCATED ON THE PUBLIC PROPERTY OF A PUBLIC INSTITUTION OF HIGHER LEARNING AND RELOCATED WITH THE APPROVAL OF THE INSTITUTION’S BOARD OF DIRECTORS.

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

SECTION 1. Section 10‑1‑165 of the 1976 Code is amended to read:

“(A) No Revolutionary War, War of 1812, Mexican War, War Between the States, Spanish‑American War, World War I, World War II, Korean War, Vietnam War, Persian Gulf War, Native American, or African‑American History monuments or memorials erected on public property of the State or any of its political subdivisions may be relocated, removed, disturbed, or altered. No street, bridge, structure, park, preserve, reserve, or other public area of the State or any of its political subdivisions dedicated in memory of or named for any historic figure or historic event may be renamed or rededicated. No person may prevent the public body responsible for the monument or memorial from taking proper measures and exercising proper means for the protection, preservation, and care of these monuments, memorials, or nameplates.

(B) The provisions of ~~this section~~ subsection (A) ~~may~~ only may be amended or repealed upon passage of an act which has received a two‑thirds vote on the third reading of the bill in each branch of the General Assembly.

(C) Notwithstanding the provisions of subsections (A) and (B), a War Between the States flag including, but not limited to, the Confederate Battle Flag, that is placed or displayed in a chapel, or other structure having a religious purpose, and is located on the public property of a public institution of higher learning in this State, may be removed and relocated to another historic location on the public property of the public institution or to a museum. The removal and relocation only may occur with the approval of the board of directors of the public institution at a meeting open to the public which is publically advertised thirty days in advance.”

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

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