RECALLED

May 2, 2017

**H. 3643**

Introduced by Reps. Clemmons, Bernstein, Rutherford, Loftis, Quinn, Clyburn, Henegan, Sottile, Yow, Neal, Felder, Gilliard, Parks, Anderson, Govan, Thigpen, Wheeler, G.R. Smith, Burns, Chumley, Martin, B. Newton, Mack, Fry, Hardee, Lucas, Bedingfield, McCoy, W. Newton, Gagnon, Finlay, Putnam, Alexander, Allison, Ballentine, Bannister, Clary, Cogswell, Crawford, Delleney, Douglas, Duckworth, Erickson, Forrester, Funderburk, Hamilton, Henderson, Herbkersman, Hiott, Jordan, King, Lowe, Mitchell, Murphy, Norrell, Pitts, Pope, Ridgeway, S. Rivers, Sandifer, Simrill, G.M. Smith, Stavrinakis, Stringer, Tallon, Whipper, Whitmire, Willis, Atwater, Huggins, Long, Toole, D.C. Moss, Arrington, Bennett, Davis, West, Hewitt, Bradley, V.S. Moss, Atkinson, Anthony, Weeks, Collins, J.E. Smith, Hayes, Blackwell, Kirby, Johnson, Hixon, Williams, Jefferson, Knight, White, Bamberg, McEachern, McCravy, Thayer, Elliott, Cole, Magnuson, Forrest, Cobb‑Hunter, Brown, Bowers, Hosey, Crosby, Spires, McKnight, Ott, Bales, M. Rivers, Howard, Daning and Ryhal

S. Printed 5/2/17--S.

Read the first time March 14, 2017.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑101‑220 SO AS TO DEFINE CERTAIN TERMS CONCERNING ANTI‑SEMITISM, TO PROVIDE INSTITUTIONS OF HIGHER LEARNING IN THIS STATE SHALL CONSIDER THIS DEFINITION WHEN REVIEWING, INVESTIGATING, OR DECIDING WHETHER THERE HAS BEEN A VIOLATION OF AN INSTITUTIONAL POLICY PROHIBITING DISCRIMINATORY PRACTICES ON THE BASIS OF RELIGION, AND TO PROVIDE NOTHING IN THIS ACT MAY BE CONSTRUED TO DIMINISH OR INFRINGE UPON ANY RIGHTS AFFORDED BY THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION OR SECTION 2, ARTICLE I OF THE CONSTITUTION OF THIS STATE.

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

SECTION 1. Article 1, Chapter 101, Title 59 of the 1976 Code is amended by adding:

“Section 59‑101‑220. (A) For purposes of this section, the term ‘definition of anti‑Semitism’ includes:

(1) the definition of anti‑Semitism set forth by the Special Envoy to Monitor and Combat Anti‑Semitism of the Department of State in the fact sheet issued on June 8, 2010; and

(2) the examples set forth under the headings ‘Contemporary Examples of Anti‑Semitism’ and ‘What is Anti‑Semitism Relative to Israel?’ in the fact sheet.

(B) In reviewing, investigating, or deciding whether there has been a violation of a college or university policy prohibiting discriminatory practices on the basis of religion, South Carolina public colleges and universities shall take into consideration the definition of anti‑Semitism for purposes of determining whether the alleged practice was motivated by anti‑Semitic intent.

(C) Nothing in this section may be construed to diminish or infringe upon any right protected under the First Amendment to the Constitution of the United States or Section 2, Article I of the South Carolina Constitution, 1895.”

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

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