**South Carolina General Assembly**

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**S. 122**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Garrett

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Summary: School Chaplains

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

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**VERSIONS OF THIS BILL**

[12/11/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/122_20241211.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 5 TO CHAPTER 10, TITLE 59, SO AS TO CREATE THE SCHOOL CHAPLAIN PROGRAM AVAILABLE TO EACH SCHOOL DISTRICT AND CHARTER SCHOOL, TO PROVIDE FOR THE PARAMETERS OF THE PROGRAM, AND TO PROVIDE FOR THE QUALIFICATIONS OF SCHOOL CHAPLAINS.

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

SECTION 1. Chapter 10, Title 59 of the S.C. Code is amended by adding:

Article 5

School Chaplain Program

Section 59‑10‑500. (A)Each school district and each charter school may employ or accept as a volunteer a chaplain to provide school district‑ or charter school‑approved support, services, and programs for students. A chaplain employed or volunteering pursuant to this article does not have to be a certified teacher in this State.

(B) A chaplain must be a person who obtains an ecclesiastical endorsement from his faith group certifying that the chaplain is:

(1) a minister, rabbi, priest, imam, lay leader, or similar functionary of the faith group;

(2) qualified spiritually, morally, intellectually and emotionally; and

(3) sensitive to religious pluralism and able to provide for the free exercise of religion.

(C) A person may not be hired or allowed to volunteer as a chaplain if that person is required to register or is registered with the National Crime Center National Sex Offender Registry, the state sex offender registry pursuant to Section 23‑3‑430, or the Central Registry of Child Abuse and Neglect or has been convicted of:

(1) a crime listed in Chapter 3, Title 16, Offenses Against the Person;

(2) a crime listed in Chapter 15, Title 16, Offenses Against Morality and Decency;

(3) a crime contributing to the delinquency of a minor, contained in Section 16‑17‑490;

(4) unlawful conduct toward a child, as provided in Section 63‑5‑70;

(5) cruelty to children, as provided for in Section 63‑5‑80; or

(6) child endangerment, as provided for in Section 56‑5‑2947.

Section 59‑10‑510. (A) A chaplain’s primary responsibility is to be present and available for any student who may seek the chaplain’s help or care.

(B) A chaplain will be a visible, integral member of the assigned school. The chaplain will support the school’s students and student groups at the student’s or student group’s request. The chaplain will work to develop positive, supportive relationships based on compassion and mutual respect with students and student groups who choose to access the chaplain’s services or programs.

(C) A chaplain will be present and visible both in the various activities in which students participate during the school day and the areas of school at which students are found. A chaplain may refer students to other resources or personnel the school provides that might assist the students in any given situation.

Section 59‑10‑520. (A) A chaplain has no disciplinary authority over students or student groups.

(B) A chaplain shall not proselytize or disparage any religion, belief, lack of belief or faith group. A chaplain’s provision of care, help, or counsel consistent with his beliefs or convictions to students who seek such care, help, or counsel is not in and of itself proselytization or disparagement.

Section 59‑10‑530. Suitable office space shall be provided to the chaplain that is accessible by all students and allows for confidential interactions with students.

Section 59‑10‑540. Each school or charter school where a chaplain is employed or where a chaplain is permitted to volunteer must notify students of the chaplain’s presence at the school, the location of the chaplain’s office, the services or programs the chaplain offers, the student’s opportunity to seek the chaplain’s help or care, and that accessing the chaplain’s services or programs or seeking his help or care is done on a strictly voluntary basis.

SECTION 2. The provisions contained in Section 59‑10‑370 do not apply to Article 5, Chapter 10 of Title 59, as added by this act.

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect upon approval by the Governor.

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