**South Carolina General Assembly**

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**H. 3220**

**STATUS INFORMATION**

General Bill

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Currently residing in the House Committee on **Education and Public Works**

Summary: Noncitizen Terrorist Activity Prohibition in Public Institutions of Higher Learning Act

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/5/2024 House Prefiled

 12/5/2024 House Referred to Committee on **Education and Public Works**

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**VERSIONS OF THIS BILL**

[12/05/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3220_20241205.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS by enacting THE “NONCITIZEN TERRORIST ACTIVITY PROHIBITION IN PUBLIC INSTITUTIONS OF HIGHER LEARNING ACT”; BY ADDING SECTION 59‑101‑230 SO AS TO PROVIDE EACH PUBLIC INSTITUTION OF HIGHER LEARNING IN THIS STATE SHALL IMPLEMENT A POLICY THAT PROHIBITS STUDENTS, FACULTY, AND STAFF WHO HOLD NONIMMIGRANT VISAS FROM PUBLICLY ESPOUSING TERRORIST ACTIVITY OR SUPPORTING TERRORIST ORGANIZATIONS UNLESS THE POLICY OR PRACTICE OF THE UNITED STATES SUPPORTS SUCH ACTIVITY OR ORGANIZATION, TO PROVIDE PENALTIES AND PROCEDURES FOR VIOLATIONS, TO PROVIDE ENFORCEMENT MECHANISMS CONCERNING INDIVIDUALS AND INSTITUTIONS, AMONG OTHER THINGS.

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

SECTION 1. This act may be cited as the “Noncitizen Terrorist Activity Prohibition in Public Institutions of Higher Learning Act.”

SECTION 2. Article 2, Chapter 101, Title 59 of the S.C. Code is amended by adding:

 Section 59‑101‑230. (A) Each public institution of higher education in the State must have and enforce a policy that:

 (1) prohibits all students, faculty members, and staff members, if they hold a nonimmigrant visa, from publicly espousing terrorist activity related to an ongoing conflict or, at any time or place, persuading others to endorse or espouse terrorist activity related to an ongoing conflict or to support a terrorist organization, as such terms are defined in 8 U.S.C. sections 1182 and 1227, unless it is the policy or practice of the United States to support such activity or organization;

 (2) upon a first finding of guilt or responsibility under item (1), suspends a student or ends a faculty or staff member’s employment for at least one year;

 (3) upon a second finding of guilt or responsibility under item (1), expels a student or ends a faculty or staff member’s employment permanently;

 (4) immediately upon suspending or expelling a student or terminating a faculty or staff member under item (1), the institution is required to update the individual’s record in the Department of Homeland Security’s Student Exchange Visitor Information System (SEVIS) or successor system to show that the individual is no longer enrolled as a full‑time student of the institution or employed by the institution; and

 (5) does not permit a student, faculty, or staff member to transfer to, enroll at, or become employed by the institution if the individual has been suspended, expelled, or terminated from another institution of higher education under item (3).

 (B) The provisions of subsection (A) include, but are not limited to, holders of F‑1, M‑1, and J‑1 visas.

 (C) Enforcement against individuals:

 (1) An institution of higher education, upon suspecting or receiving a credible allegation that an individual has violated its policy described in subsection (A)(1), must investigate and, if warranted by the factual results of the investigation, enforce its policy against the individual.

 (2) The standard of evidence for a finding of guilt or responsibility under the institution’s policy shall be a preponderance‑of‑the‑evidence standard.

 (D) Enforcement against institutions:

 (1) The Attorney General or any other applicable official of the executive or judicial branch of the state may compel an institution of higher education to enforce its policy as described in subsections (A), (B), and (C).

 (2) An investigating official under item (1) or the official’s designee may compel production of documents and other evidence from an institution suspected of violating this section, including all education and employment records and other relevant records.

 (3) If the Attorney General, the Attorney General’s designee, or a court of appropriate jurisdiction determines that an institution of higher education has failed to comply with the provisions of this section, the official or court may issue a fine against the institution of not less than ten thousand dollars and not more than one hundred thousand dollars for each violation.

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 July 1, 2026.

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