**South Carolina General Assembly**

121st Session, 2015-2016

**H. 4638**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Reps. Lowe, White, G.M. Smith, Sandifer, Bingham, Allison, Loftis, Pope, Simrill, Herbkersman, G.R. Smith, Huggins, Toole, Gambrell, Daning, Willis, Nanney, Stringer, Taylor, H.A. Crawford, Hixon, Kennedy, Gagnon, Johnson, Hill, Duckworth, Hardee, Crosby, Forrester, Bedingfield, Chumley, Burns, Erickson, Bannister, Sottile, McCoy, Collins, Ballentine, Newton, Kirby, Quinn, Clemmons, Hamilton, Henderson, Hicks, Hiott, Jordan, Lucas, D.C. Moss, Pitts, Riley, Spires, Tallon and Thayer

Document Path: l:\council\bills\nl\13542sd16.docx

Introduced in the House on January 12, 2016

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

Summary: Monuments, Road Structures, and Buildings on public property

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/12/2016 House Introduced and read first time ([House Journal‑page 121](file:///h:\HJ%20Archive\2016\01-12-16.docx))

1/12/2016 House Referred to Committee on **Judiciary** ([House Journal‑page 121](file:///h:\HJ%20Archive\2016\01-12-16.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4638&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/12/2016](file:///p:\pprever\2015-16\4638_20160112.docx)

**A** **JOINT RESOLUTION**

TO AMEND THE CONSTITUTION OF SOUTH CAROLINA, 1895, BY ADDING SECTION 16 TO ARTICLE XVII SO AS TO PROVIDE THAT NO WAR, NATIVE AMERICAN, AFRICAN‑AMERICAN, OR STATE OF SOUTH CAROLINA HISTORIC MONUMENTS OR MEMORIALS ERECTED ON PUBLIC PROPERTY OF THIS STATE OR ANY OF ITS POLITICAL SUBDIVISIONS MAY BE RELOCATED OR REMOVED AND NO STREET, BRIDGE, STRUCTURE, PARK, PRESERVE, RESERVE, OR OTHER PUBLIC AREA OF THIS STATE OR ANY OF ITS POLITICAL SUBDIVISIONS DEDICATED IN MEMORY OF OR NAMED FOR ANY HISTORIC FIGURE OR EVENT MAY BE RENAMED OR REDEDICATED EXCEPT BY A TWO‑THIRDS VOTE OF THE MEMBERSHIP OF EACH HOUSE OF THE GENERAL ASSEMBLY IN A JOINT RESOLUTION ENACTED FOR THIS PURPOSE.

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

SECTION 1. It is proposed that Article XVII of the Constitution of this State be amended by adding:

“Section 16. 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 or other war, Native American, African‑American, or State of South Carolina historic monuments or memorials erected on public property of the State or any of its political subdivisions may be relocated, removed, disturbed, or altered except by a two‑thirds vote of the membership of each house of the General Assembly in a joint resolution enacted for this purpose. Additionally, 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 except by a two‑thirds vote of the membership of each house of the General Assembly in a joint resolution enacted for this purpose. 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.

SECTION 2. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Article XVII of the Constitution of this State be amended by adding Section 16 so as to provide that no war, Native American, African‑American, or State of South Carolina historic monuments or memorials erected on public property of this State or any of its political subdivisions may be relocated or removed, and no street, bridge, structure, park, preserve, reserve, or other public area of this State or any of its political subdivisions dedicated in memory of or named for any historic figure or event may be renamed or rededicated except by a two‑thirds vote of the membership of each house of the General Assembly in a joint resolution enacted for this purpose?

Yes 

No 

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

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