**South Carolina General Assembly**

125th Session, 2023-2024

**H. 3772**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Long, Chumley, Burns, Haddon, Bustos, M.M. Smith, Pace, Landing, Gatch, Oremus, S. Jones, Gagnon, Hixon and Taylor

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Introduced in the House on January 24, 2023

Currently residing in the House

Summary: Historical monuments and memorials

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/24/2023 House Introduced and read first time ([House Journal‑page 27](h:\hj\20230124.docx))

1/24/2023 House Referred to Committee on **Judiciary** ([House Journal‑page 27](h:\hj\20230124.docx))

1/26/2023 House Member(s) request name added as sponsor: M.M.
Smith, Pace

2/7/2023 House Member(s) request name added as sponsor: Landing

2/22/2023 House Member(s) request name added as sponsor: Gatch,
Oremus, S. Jones, Gagnon

3/1/2023 House Member(s) request name added as sponsor: Hixon, Taylor

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**VERSIONS OF THIS BILL**

[01/24/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3772_20230124.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 60‑11‑75 SO AS TO PROVIDE PLAQUES, MARKERS, OR OTHER MESSAGES ON HISTORICAL MONUMENTS AND MEMORIALS ON PROPERTY OWNED BY POLITICAL SUBDIVISIONS OF THE STATE OR SCHOOL DISTRICTS ARE SUBJECT TO REVIEW AND APPROVAL BY THE DEPARTMENT OF ARCHIVES AND HISTORY, AND TO PROVIDE RELATED REQUIREMENTS FOR A RELATED REVIEW AND APPROVAL PROCESS; AND BY AMENDING SECTION 60‑11‑30, RELATING TO OBJECTS AND PURPOSES OF the DEPARTMENT, SO AS TO MAKE CONFORMING CHANGES.

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

SECTION 1. Article 1, Chapter 11, Title 60 of the S.C. Code is amended by adding:

Section 60‑11‑75. (A) A plaque, marker, or other message, including those accessible by a QR code or other similar barcode, that concerns any historical monument or memorial, is not original to the monument or memorial, and is located on property owned by a political subdivision of the State or a school district shall not be erected except by the department and with permission of the political subdivision of the State or school district.

(B) The department shall:

(1) ensure the content of the plaque, marker, or other message is historically accurate and free of any editorial comments or subjective analysis, and shall ensure the content is limited to the key historical facts related to, and representative of, the specific figure or event being memorialized by the monument or memorial except for the name of the person or organization who paid for the monument, the date it was erected, and the name of the sculptor, if applicable, also may be included;

(2) in the case of historical monuments and memorials, consult with the organization that provided the monument or memorial in the development of the language if the organization still exists; and

(3) provide a forty‑five day public review and comment period for language proposed by the department.

(C) All applicable plaques, markers, or other messages put in place before enactment of this section, but after December 31, 2022, must be removed.

(D) The department, subject to available resources, may establish a process and related fee schedule for political subdivisions of the State and school districts to use when proposing to the department language for plaques, markers, or other messages for monuments or memorials on their property in accordance with the requirements of this section.

(E) A plaque, marker, or other message concerning a monument or memorial that is not original to the monument or memorial may not be erected within twelve feet of the monument or memorial in order to preserve its original appearance.

(F) Any historical preservation or heritage-related organization established in this State has standing in court to bring a complaint against a political subdivision of the State or school district for a violation of this section.

SECTION 2. Section 60‑11‑30(6) of the S.C. Code is amended to read:

(6) The approval of the inscriptions for all historical markers or other monuments erected on State highways or other State property and plaques, markers, and other messages related to historical monuments and memorials on property of a political subdivision of the State or school district as provided in Section 60‑11‑75;

SECTION 3. This act takes effect upon approval by the Governor.

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