**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3263**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Pope, Wooten, Pedalino, Forrest, Hewitt, Davis, M.M. Smith, Vaughan, Landing, Mitchell, Rankin, Long, Oremus, Terribile, Gibson, Huff, Lawson, Burns, Edgerton, Cromer, Harris and Ligon

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Introduced in the House on January 14, 2025

Currently residing in the House

Summary: Student physical privacy

**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 **Judiciary**

 1/14/2025 House Introduced and read first time (House Journal‑page 147)

 1/14/2025 House Referred to Committee on **Judiciary** (House Journal‑page 147)

 1/15/2025 House Member(s) request name added as sponsor: Hewitt,
 Davis, M.M. Smith

 1/16/2025 House Member(s) request name added as sponsor: Vaughan,
 Landing

 1/28/2025 House Member(s) request name added as sponsor:
 Mitchell, Rankin, Long, Oremus, Terribile,
 Gibson, Huff, Lawson, Burns, Edgerton

 2/11/2025 House Member(s) request name added as sponsor: Cromer,
 Harris

 2/19/2025 House Member(s) request name added as sponsor: Ligon

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**VERSIONS OF THIS BILL**

[12/05/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3263_20241205.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “SOUTH CAROLINA STUDENT PHYSICAL PRIVACY ACT” BY ADDING ARTICLE 5 TO CHAPTER 23, TITLE 59 SO AS TO PROVIDE VARIOUS MEASURES TO PROMOTE AND ENSURE PRIVACY AMONG SEXES USING CERTAIN RESTROOMS AND CHANGING FACILITIES IN PUBLIC SCHOOLS AND PUBLIC INSTITUTIONS OF HIGHER LEARNING, AND TO PROVIDE PENALTIES FOR NONCOMPLIANCE, 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 “South Carolina Student Physical Privacy Act.”

SECTION 2. Chapter 23, Title 59 of the S.C. Code is amended by adding:

Article 5

Student Physical Privacy

 Section 59‑23‑510. As used in this article:

 (1) “Changing facility” means a facility in which a person may be in a state of undress in the presence of others, including a locker room, changing room, or shower room.

 (2) “Restroom” means a facility that includes one or more toilets or urinals.

 (3) “Sex” means the biological indication of male and female in the context of reproductive potential or capacity, such as sex chromosomes, naturally occurring sex hormones, gonads, and nonambiguous internal and external genitalia present at birth.

 (4) “Sleeping quarters” means a room with a bed in which more than one individual is housed overnight.

 Section 59‑23‑520. A public school district may not permit any public school within the district to use any funds to maintain or operate any restroom or changing facility on its premises that is not in compliance with this article or facilitate any public school‑authorized activity or event involving overnight lodging that is not in compliance with this article. A public school district that violates any portion of this article must be penalized twenty‑five percent of the funds appropriated by this article that are used to support the school district’s operations.

 Section 59‑23‑530. A public institution of higher learning may not use any funds to maintain or operate any restroom or changing facility on its premises that is not in compliance with this article or facilitate any institution‑authorized activity or event involving overnight lodging that is not in compliance with this article. A public institution of higher learning that violates any portion of this article must be penalized twenty‑five percent of the funds appropriated by this article that are used to support the institution’s operations.

 Section 59‑23‑540. (A) Multioccupancy public school or public institution of higher learning restrooms and changing facilities must be designated for use only by members of one sex. Any public school or public institution of higher learning restrooms and changing facilities that are designated for one sex must be used only by members of that sex. No person may enter a restroom or changing facility that is designated for one sex unless he or she is a member of that sex; and the public school or public institution of higher learning with authority over that building shall take reasonable steps to ensure that all restrooms and changing facilities provide its users with privacy from members of the opposite sex. The provisions in this item do not apply:

 (1) to custodial or maintenance work when the restroom or changing facility is not being used or otherwise occupied by a member of the opposite sex;

 (2) to a person or people rendering medical assistance; and

 (3) during a natural disaster, emergency, or when use of the restroom or changing facility is necessary to prevent a serious threat to good order or student safety.

 (B) During any public school or public institution of higher learning‑authorized activity or event where students share overnight lodging, no student may be required to share a sleeping quarter or multioccupancy restroom with a member of the opposite sex, unless such persons are members of the same family, such as a parent, legal guardian, sibling, or grandparent.

 (C) In any other public school or public institution of higher learning facility or setting where a person may be in a state of undress in the presence of others, school personnel shall provide separate, private areas designated for use by persons based on their sex, and no person may enter these private areas unless he or she is a member of the designated sex.

 Section 59‑23‑550. Nothing in this article may be construed to prohibit schools or public institutions of higher learning from adopting policies necessary to accommodate disabled persons or young children in need of physical assistance when using restrooms or changing facilities.

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

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