**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3798**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Murphy, G.M. Smith, Brewer, T. Moore, Guest, Hager, Yow, Mitchell, W. Newton, Lawson, Stavrinakis, Govan, Erickson, Bradley, Weeks, Hart, Williams, Rivers and Gilliard

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Introduced in the House on January 28, 2025

Introduced in the Senate on February 19, 2025

Currently residing in the Senate Committee on **Family and Veterans' Services**

Summary: Military chaplains

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/28/2025 House Introduced and read first time (House Journal‑page 22)

 1/28/2025 House Referred to Committee on **Judiciary** (House Journal‑page 22)

 2/4/2025 House Member(s) request name added as sponsor: Govan,
 Erickson, Bradley

 2/12/2025 House Committee report: Favorable **Judiciary** (House Journal‑page 7)

 2/13/2025 House Member(s) request name added as sponsor: Weeks

 2/18/2025 House Member(s) request name added as sponsor: Hart,
 Williams, Rivers, Gilliard

 2/18/2025 House Read second time (House Journal‑page 25)

 2/18/2025 House Roll call Yeas-113 Nays-0 (House Journal‑page 25)

 2/19/2025 House Read third time and sent to Senate (House Journal‑page 19)

 2/19/2025 Senate Introduced and read first time (Senate Journal‑page 6)

 2/19/2025 Senate Referred to Committee on **Family and Veterans' Services** (Senate Journal‑page 6)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3798&session=126&summary=B)  at the website

**VERSIONS OF THIS BILL**

[01/28/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/3798_20250128.docx)

[02/12/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/3798_20250212.docx)

Committee Report

February 12, 2025

H. 3798

Introduced by Reps. Murphy, G. M. Smith, Brewer, T. Moore, Guest, Hager, Yow, Mitchell, W. Newton, Lawson, Stavrinakis, Govan, Erickson and Bradley

S. Printed 2/12/25--H.

Read the first time January 28, 2025

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The committee on House Judiciary

To whom was referred a Bill (H. 3798) to amend the South Carolina Code of Laws by adding Section 25‑1‑180 so as to provide certain criteria for military chaplains, and to provide that military chaplains, etc., respectfully

Report:

That they have duly and carefully considered the same, and recommend that the same do pass:

W. NEWTON for Committee.

statement of estimated fiscal impact

Explanation of Fiscal Impact

State Expenditure

This bill requires military chaplains serving in the National Guard, organized militia not in the National Guard service, or unorganized militia to be properly ordained and endorsed for military service by an accredited agency or organization. This bill also specifies that a military chaplain possess privileged communication with all militia members, authorized dependents, and authorized personnel.

The Office of the Adjutant General reports this bill will have no expenditure impact because the South Carolina Military Department will administer policies resulting from the bill with the use of existing staff and resources.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 25‑1‑180 SO AS TO PROVIDE CERTAIN CRITERIA FOR MILITARY CHAPLAINS, AND TO PROVIDE THAT MILITARY CHAPLAINS HAVE THE PRIVILEGE TO REFUSE TO DISCLOSE CERTAIN CONFIDENTIAL COMMUNICATIONS.

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

SECTION 1. Article 1, Chapter 1, Title 25 of the S.C. Code is amended by adding:

 Section 25‑1‑180. (A) Military chaplains serving in any of the three militia classes, National Guard, organized militia not in National Guard Service, or unorganized militia, shall:

 (1) be properly ordained and endorsed for militia service by a recognized military-endorsing agency, as well as any specific qualifications required by any of the three militia classes; and

 (2) possess privileged communication with all militia members, authorized dependents, and authorized personnel as defined by each militia class. The privilege also may be claimed on behalf of the person by the chaplain who received the communication.

 (B) Confidential communication is any communication made to a chaplain by an individual possessing the privilege if the communication is made either as a formal act of religion or as a matter of conscience. A communication is also confidential if it is made to a chaplain in his official capacity as a spiritual advisor.

 (C) A person has the privilege to refuse to disclose and to prevent others from disclosing a confidential communication by the person who made the communication to a chaplain if the communication is made either as a formal act of religion or as a matter of conscience.

 (D) Chaplains may not disclose a confidential communication revealed in the course of their duties without the informed consent of a person who made the communication. This consent must be given freely and not be compelled and must be specific regarding the information to be disclosed by the chaplain.

 (E) Neither a commander nor a court may require a chaplain or individual to disclose a confidential communication when a privilege exists. However, if a military judge or other presiding official decides that no privilege exists, a chaplain may have an obligation to testify.

SECTION 2. This act takes effect upon approval by the Governor.

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