**South Carolina General Assembly**

126th Session, 2025-2026

**H. 4260**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Taylor, Robbins, Hartnett, Bowers, Whitmire, Chapman, Hager, Forrest, T. Moore, Lawson, Long, Mitchell, Magnuson, Chumley, Frank, Bustos, Gagnon, Hartz, Hixon, Oremus, Pope, M.M. Smith, Burns, W. Newton, Landing, Herbkersman and White

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Introduced in the House on March 27, 2025

Currently residing in the House

Summary: Monuments and memorials

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/27/2025 House Introduced and read first time (House Journal‑page 17)

 3/27/2025 House Referred to Committee on **Judiciary** (House Journal‑page 17)

 4/1/2025 House Member(s) request name added as sponsor: M.M.
 Smith, Burns, W. Newton, Landing

 4/2/2025 House Member(s) request name added as sponsor:
 Herbkersman, White

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**VERSIONS OF THIS BILL**

[03/27/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/4260_20250327.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 10‑1‑165, RELATING TO THE PROTECTION OF CERTAIN MONUMENTS AND MEMORIALS, SO AS TO EXPAND THE TYPE OF MONUMENTS OR MEMORIALS THAT MAY NOT BE RELOCATED, REMOVED, OR DISTURBED, TO WITHHOLD DISBURSEMENTS FROM THE LOCAL GOVERNMENT FUND FOR ANY COUNTY OR MUNICIPALITY THAT VIOLATES THIS SECTION, TO PROVIDE FOR THE CARE AND PRESERVATION OF MONUMENTS AND MEMORIALS BY CERTAIN PEOPLE OR ORGANIZATIONS, TO PROVIDE STANDING TO CERTAIN PEOPLE OR ORGANIZATIONS TO BRING A CIVIL ACTION IN RESPONSE TO VIOLATIONs OF THIS SECTION OR TO PREVENT SUCH VIOLATIONs, AND TO PROVIDE FOR LIMITATIONS ON THE TRANSFER OF REAL PROPERTY UNDERNEATH MONUMENTs OR MEMORIALs OR THE TRANSFER OF REAL PROPERTY NECESSARY TO MAINTAIN, ACCESS, OR VIEW MONUMENTs OR MEMORIALs.

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

SECTION 1. Section 10‑1‑165(A) of the S.C. Code is amended to read:

 (A)(1) No colonial war, 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 War, any armed conflict involving South Carolinians, Native American, or African‑American African American History monuments or memorials erected on public property of the State or any of its political subdivisions may be relocated, removed, disturbed, or altered. No historical monument or memorial including, but not limited to, any street, bridge, structure, park, preserve, reserve, installation, nameplate or other public area of the State or any of its political subdivisions dedicated in memory of or named for any historic figure, or public figure, person, historic event, commemorated event, celebrated event, occurrence, commemoration, memorial, recognition, or any other facts resulting in the placement of the monument or memorial on public property may be relocated, removed, disturbed, altered, renamed, or rededicated. The within prohibition shall apply to plaques, markers, or other messages, including those accessible by a QR code or other similar barcode, which are related to the historical monument or memorial, but which are not original to the monument or memorial and are located anywhere on the property upon which the monument or memorial is located. 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.

 (2) If a county or municipality violates the provisions of item (1), then the State Treasurer shall withhold all disbursements from the Local Government Fund for that county or municipality until the violation is corrected. Further, the State nor its agencies nor its political subdivisions may assert its sovereign immunity as a defense to any civil action commenced to remedy violations committed by the State or its agencies or subdivisions.

 (3) Any person, firm, group, corporation, or other legal entity shall have a right to bring civil action, to prevent or redress a violation of this section to include injunctive relief, declaratory relief, and the recovery of damages for the cost of restoration and repair of any damaged or destroyed monument or memorial, including attorney’s fees and court costs. No person commencing a civil action as authorized herein shall be required to show a particularized or personal concrete injury in order to establish standing to sue.

 (4) The Department of History and Archives shall promulgate regulations to establish a process for affinity organizations to maintain monuments and memorials, as well as restore and replace monuments and memorials that have been damaged or destroyed.

 (5) For the purposes of this subsection, an “affinity organization” means an organization chartered for the purpose, primary or otherwise, to honor a particular event, people, or time period including, but not limited to, historical or heritage organizations and having a clearly demonstrable record of these actions.

 (6) A county, municipality, or other political subdivision of the State, including a school district, may not transfer ownership of the real property underneath a monument or memorial or the real property necessary to view or access a monument or memorial subject to the provisions of item (1) to a private entity.

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

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