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**A BILL**

11 TO AMEND ARTICLE 5, CHAPTER 1, TITLE 59 OF THE 1976  
12 CODE, RELATING TO FREEDOM OF RELIGION FOR  
13 STUDENT ASSOCIATIONS, TO PROVIDE THAT NO PUBLIC  
14 INSTITUTION OF HIGHER LEARNING SHALL TAKE ANY  
15 ACTION OR ENFORCE ANY POLICY THAT DENIES A  
16 RELIGIOUS STUDENT ASSOCIATION ANY BENEFIT  
17 AVAILABLE TO ANY OTHER STUDENT ASSOCIATION  
18 BASED ON THE RELIGIOUS STUDENT ASSOCIATION'S  
19 REQUIREMENT THAT ITS LEADERS OR MEMBERS  
20 ADHERE TO ITS SINCERELY HELD RELIGIOUS BELIEFS  
21 OR STANDARDS OF CONDUCT; AND TO DEFINE  
22 NECESSARY TERMS.

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

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27 SECTION 1. This act may be known and cited as the "Student  
28 Association Freedom of Religion Act."

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30 SECTION 2. Article 5, Chapter 1, Title 59 of the 1976 Code is  
31 amended by adding:

- 32 "Section 59-1-436. (A) As used in this section:  
33 (1) 'Benefits' include, but are not limited to:  
34 (a) recognition;  
35 (b) registration;  
36 (c) the use of facilities of the public institution of higher  
37 learning for meetings or speaking purposes;  
38 (d) the use of channels of communication of the public  
39 institution of higher learning; and  
40 (e) funding sources that are otherwise available to any  
41 other student association in the public institution of higher learning.  
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1 (2) 'Public institution of higher learning' shall have the  
2 meaning provided in Section 59-103-5.

3 (B) No public institution of higher learning shall take any action  
4 or enforce any policy that denies a religious student association any  
5 benefit available to any other student association based on the  
6 religious student association's requirement that its leaders or  
7 members adhere to its sincerely held religious beliefs or standards  
8 of conduct.

9 (C) This section does not apply to religious student associations  
10 that intentionally incite or produce likely and imminent illegal  
11 action prohibited by statute or general law."

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13 SECTION 3. If any section, subsection, paragraph, subparagraph,  
14 sentence, clause, phrase, or word of this act is for any reason held to  
15 be unconstitutional or invalid, such holding shall not affect the  
16 constitutionality or validity of the remaining portions of this act, the  
17 General Assembly hereby declaring that it would have passed this  
18 chapter, and each and every section, subsection, paragraph,  
19 subparagraph, sentence, clause, phrase, and word thereof,  
20 irrespective of the fact that any one or more other sections,  
21 subsections, paragraphs, subparagraphs, sentences, clauses, phrases,  
22 or words hereof may be declared to be unconstitutional, invalid, or  
23 otherwise ineffective.

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25 SECTION 4. This act takes effect upon approval by the Governor.

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