

2022 Bill Draft: Protecting Students from Action Civics

FOR AN ACT ENTITLED, An Act to protect students from action civics.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That a NEW SECTION be added:

For purposes of this Act, the term, protest, means a public, organized demonstration expressing a particular position, either for or against an idea or action, especially a political one.

Section 2. That a NEW SECTION be added:

For purposes of this Act, the term, lobby, means:

1. to promote, oppose, or influence the passage or defeat of, or the sponsorship or introduction of, any ballot measure as defined by § 2-1-1.3(4), ballot question as defined by § 12-27-1(1), law, rule as defined by §§ 1-26-1(6) and (8), or resolution or ordinance as defined by §§ 7-18A-1 and 9-19-1,
2. to attempt to influence an individual to vote for or against a particular candidate for any public office, or
3. to attempt to influence any public officer in the performance of their duties.

This term does not include educational activities or assignments that simulate protest or lobbying in a school setting.

Section 3. That a NEW SECTION be added:

An institution of higher education under the control of either the Board of Regents or the Board of Technical Education, or state-accredited school district may not direct, require, or compel a student to protest or lobby as part of a grade, course, or credit.

Nothing in this section prevents any student from voluntarily and freely exercising their freedom of speech.

Section 4. That a NEW SECTION be added:

No state money may be expended for any purpose prohibited in Section 3 by any institution of higher education under the control of either the Board of Regents or the Board of Technical Education, or any state-accredited school districts.