

2025 South Dakota Legislature

Senate Bill 51**AMENDMENT 51M
FOR THE SENATE ENGROSSED BILL**

1 **An Act to require the display and curricular inclusion of the Ten Commandments and**
2 **other documents.**

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

4 **Section 1. That a NEW SECTION be added to chapter 13-24:**

5 The board of a school district shall display the Ten Commandments in~~each~~
6 ~~classroom in each school located~~ a prominent location within each public school in the
7 district. The display must be a poster or document that is at least eight inches by fourteen
8 inches. The text of the Ten Commandments must be the focus of the poster or document
9 and must be printed in large, easily readable font.

10 The text of the Ten Commandments must be printed with the following or
11 substantially similar language:

12 (1) I AM the LORD your God, thou shalt have no other gods before me;

13 (2) Thou shalt not make unto thee any graven image;

14 (3) Thou shalt not take the name of the Lord thy God in vain;

15 (4) Remember the Sabbath day, to keep it holy;

16 (5) Honor thy father and mother;

17 (6) Thou shalt not murder;

18 (7) Thou shalt not commit adultery;

19 (8) Thou shalt not steal;

20 (9) Thou shalt not bear false witness against thy neighbor; and

21 (10) Thou shalt not covet.

22 **Section 2. That a NEW SECTION be added to chapter 13-24:**

23 The following statements must be displayed near any poster or document listing
24 the Ten Commandments pursuant to section 1 of this Act:

(1) The Ten Commandments were a prominent part of American public education for almost three centuries. Around the year 1688, The New England Primer became the first published American textbook and was the equivalent of a first-grade reader. The New England Primer was used in public schools throughout the United States for more than two hundred years to teach Americans to read and contained more than forty questions about the Ten Commandments;

(2) The Ten Commandments were also included in public school textbooks published by educator William McGuffey, a noted university president and professor. A version of his famous McGuffey Readers was written in the early 1800s and became one of the most popular textbooks in the history of American education, selling more than one hundred million copies. Copies of the McGuffey Readers are still available today; and

(3) The Ten Commandments also appeared in textbooks published by Noah Webster, which were widely used in American public schools along with America's first comprehensive dictionary that Webster also published. His work, "Letters to a Young Gentleman Commencing His Education: To Which is Subjoined a Brief History of the United States," was among works that together sold more than one hundred million copies for use by public school children all across the nation and was still available for use in American public schools in the year 1975.

The size of the statements must be smaller than the text of the Ten Commandments but must be large enough to be easily read.

Section 3. That a NEW SECTION be added to chapter 13-24:

The board of a school district may display the Mayflower Compact, the Magna Carta, the Declaration of Independence, and other documents foundational to the legal and governmental systems of the United States and this state along with the Ten Commandments, as provided for in sections 1 and 2 of this Act.

The South Dakota Board of Education Standards shall publish on the website of the Department of Education, a list of other documents that are foundational to the legal and governmental systems of the United States and this state and which may be displayed along with the Ten Commandments.

Section 4. That a NEW SECTION be added to chapter 13-24:

The board of a school district may accept donated displays that meet the requirements of sections 1, 2, and 3 of this Act, or may accept donations to purchase displays that meet the requirements of sections 1, 2, and 3 of this Act.

Section 5. That § 13-33-4 be AMENDED:

~~**13-33-4.** In all public and nonpublic schools located within the state there shall be given regular courses of instruction in the Constitutions of the United States and the State of South Dakota. Such instruction shall begin not later than the opening of the eighth grade and shall continue in the high school to an extent to be determined by the South Dakota Board of Education Standards~~

Each public school in this state must include, as a part of the school's history and civics curriculum, instruction on the governments of the United States and this state and the philosophical principles articulated by these governmental systems. The instruction must cover:

(1) The Constitution of the United States;

(2) The constitution of this state;

(3) The Declaration of Independence;

(4) The Bill of Rights;

(5) The Ten Commandments, presented as a historical legal document, including the influence of the Ten Commandments on the legal, ethical, and other cultural traditions of Western civilization; and

(6) Other documents foundational to the legal and governmental systems of the United States and this state, as determined by the South Dakota Board of Education Standards.

Each student enrolled in a school district must receive instruction provided pursuant to this section at least once between first and fourth grade, once between fifth and eighth grade, and once between ninth and twelfth grade.

The Department of Education shall develop and provide materials to support the instruction required by this section and shall make the material available to a school district upon request.

Section 6. That § 13-24-24 be AMENDED:

13-24-24. For any lawsuit brought or any complaint filed against a school district, an employee of a school district, the board of a school district, or a member thereof as a result of a school district displaying the national motto of the United States in accordance

1 with § 13-24-23, or the Ten Commandments in accordance with section 1 of this Act, the
2 attorney general shall provide legal representation at no cost to the school district,
3 employee, school board, or member of the school board.

4 In addition to the expenses of representation, the state shall assume financial
5 responsibility for any other related expense incurred by the school district, an employee,
6 the board, or member thereof, including any award for monetary damages, attorney's
7 fees, and costs for which the school district, an employee, the board, or a member thereof
8 would be otherwise responsible.

9 **Section 7. That § 13-24-17.1 be REPEALED.**

10 ~~An object or document containing the words of the Ten Commandments may be~~
11 ~~displayed in any public school classroom, public school building, or at any public school~~
12 ~~event, along with other objects and documents of cultural, legal, or historical significance~~
13 ~~that have formed and influenced the legal and governmental systems of the United States~~
14 ~~and the State of South Dakota. Such display of an object or document containing the~~
15 ~~words of the Ten Commandments:~~

- 16 (1) ~~Shall be in the same manner and appearance generally as other objects and~~
17 ~~documents displayed; and~~
18 (2) ~~May not be presented or displayed in any fashion that results in calling attention~~
19 ~~to it apart from the other displayed objects and documents.~~