

## **Constitution – Proposed Changes**

**(The proposed changes to the Constitution require a first vote at the 2022 Annual Convention and a second vote by Orders at the 2023 Annual Convention.)**

Article I of the Constitution is hereby amended so as to read as follows:

### **ARTICLE I Recognition of the Authority of the Episcopal Church**

The Episcopal Diocese of South Carolina accedes to and adopts the Constitution and Canons of The Episcopal Church, as they now exist or may hereafter be amended by The Episcopal Church's General Convention, and agrees to be permanently and irrevocably governed thereby.

Article II of the Constitution is hereby amended so as to read as follows:

### **ARTICLE II Name and Seal of Diocese**

*Section 1.* The Diocese shall be known by the name: **The Episcopal Diocese of South Carolina**. (The Diocese has also been known as and done business as "The Episcopal Church in South Carolina," "The Episcopal Church in the Diocese of South Carolina," "The Protestant Episcopal Church in South Carolina," and "The Protestant Episcopal Church in the Diocese of South Carolina.")

The Diocese, which was first organized in 1785, is the historic and continuously existing Episcopal Diocese in South Carolina and was originally known as "The Protestant Episcopal Church for the Diocese of South Carolina."

*Section 2.* The seal of the Diocese shall be:



Section 4 of Article V of the Constitution is hereby amended, and Section 5 of Article 5 is deleted in its entirety so as to read as follows:

**ARTICLE V**  
**Diocesan Convention Members**

*Section 4.* All canonically resident clergy (priests and deacons) are entitled to all privileges as a member of the Convention, including seat, voice, and vote.

Section 1 through Section 1.1.3, inclusive, of Article VII are hereby amended so as to read as follows:

**ARTICLE VII**  
**Officers and Staff of the Diocese**

Section 1. The constitutional officers of the Diocese shall be a Chancellor, a Secretary, a Treasurer, and a Historiographer, and, at the Bishop's discretion, a Vice Chancellor, each of whom shall be a confirmed communicant of the Church, and a member of a parish or mission in union with the Convention, or a priest canonically resident in the Diocese.

Section 1.1. The Chancellor and a Vice Chancellor shall be nominated by the Bishop and shall be elected by a majority vote of the Convention. If a Vice Chancellor is to be nominated by the Bishop, the nomination must be approved by the Chancellor. The term of office of the Vice Chancellor, if so elected, shall run concurrently with the term of the Chancellor. They shall serve for three years and shall continue until their successors are elected. Their duties shall be to act as legal advisors of the Bishop, Standing Committee, Diocesan Council, Trustees, Diocesan Convention, and other Diocesan offices and organizations, in matters affecting the interest of the

Church. They shall be ex-officio members of the Convention without the right to vote, unless a delegate from a parish or mission in union with the Convention. If the office of Chancellor or Vice Chancellor becomes vacant during the term of office, the Bishop, with approval of the Standing Committee, shall appoint an Acting Chancellor or Acting Vice Chancellor to complete the remainder of the term of the vacant office.

Section 1.2 The Secretary shall be nominated by the Bishop and confirmed at each annual Convention and shall continue in office until his/her successor is elected. The Secretary shall be responsible for the publication of the Journal of the Convention. The Secretary's duties shall be as prescribed by the Constitution, Canons, resolutions, and Rules of Order of both the Convention of this Diocese and of the General Convention. The Secretary shall be an ex officio member of the Convention without the right to vote, unless a delegate from a parish or mission in union with the Convention or a priest canonically resident in the Diocese. If the office of Secretary becomes vacant during the term of office, the Bishop, with approval of the Standing Committee, shall appoint an Acting Secretary to complete the remainder of the term of the vacant office.

Section 1.3. The Treasurer shall be elected at each annual Convention and shall continue in office until a successor is elected. The Treasurer's duties shall be as prescribed by the Constitution, Canons, resolutions, and Rules of Order of both the Convention of this Diocese and of the General Convention. The Treasurer shall be an ex officio member of the Convention without the right to vote, unless the Treasurer is a delegate from a parish or mission in union with the Convention or a priest canonically resident in the Diocese. If the office of Treasurer becomes vacant during the term of office, the Bishop, with approval of the Standing Committee, shall appoint an Acting Treasurer to complete the remainder of the term of the vacant office.

Section 1 of Article VIII of the Constitution is hereby amended so as to read as follows:

**ARTICLE VIII**  
**Admitting Parishes and Missions Into Union with the Convention**

*Section 1.* Parishes and/or missions, which have been organized as provided by the canons of both The Episcopal Diocese of South Carolina and The Episcopal Church for not less than one year, may apply for and be admitted into union with the Convention by vote of the Convention, provided that the requirements hereinafter set forth in the canons have been met.

Section 1 of Article IX of the Constitution is hereby amended so as to read as follows:

**ARTICLE IX**  
**Standing Committee**

*Section 1.* There shall be a Standing Committee consisting of six priests of the Diocese and six laypersons, who are confirmed communicants in good standing of the Church in the Diocese. The members of the Standing Committee shall be elected by ballot for a term of three (3) years. At each annual Convention two priests and two laypersons shall be elected for a term of three (3) years. No priest or layperson whose term has expired shall be eligible for re-election until the passage of one Convention year from the date of said expiration.

Section 1 of Article X of the Constitution is hereby amended so as to read as follows:

**ARTICLE X**  
**Deputies to the General Convention**

*Section 1.* At an Annual Convention during the triennium between General Conventions, but preceding each General Convention, priests, deacons, and laypersons, in the appropriate number and having qualifications established by The Episcopal Church, shall be chosen by ballot to represent the Diocese at the next succeeding General Convention. No more than the requisite number of other priests, deacons, and laypersons, having the same qualifications, shall be chosen by ballot, as alternates for those selected. Such representatives and alternates shall serve until their successors are elected and qualified.

Article XI of the Constitution is hereby amended so as to read as follows:

**ARTICLE XI**  
**Discipline of a Bishop, Priest or Deacon**

A bishop, priest, or deacon shall be subject to discipline for offences enumerated in both the canons of The Episcopal Diocese of South Carolina and The Episcopal Church and, if found guilty, shall be sentenced in accordance therewith. The action shall be conducted according to both the canons of The Episcopal Diocese of South Carolina and The Episcopal Church.

## **Canons – Proposed Changes**

**(The proposed changes to the Canons require a vote at the 2022 Annual Convention.)**

### **CANON 2 Organization of Missions**

Title I, Canon 2 is hereby amended to add a new section to be designated as “Section 7”, which shall so read as follows:

*Section 7.* Prior to such new applicant being formally accepted as a mission in communion with Diocese, such applicant mission must, after taking all required corporate and/or Board/Committee action, execute a Commitment of Affirmation (see “Exhibit A”) that the applicant mission will remain in conformity with the Constitution and Canons, doctrine, discipline and worship of The Episcopal Church and of this Diocese, and to the rules regulating such missions. Such Commitment of Affirmation must state that such obligations, commitments, and requirements are irrevocable. The Commitment of Affirmation must be properly executed in duplicate by the officers of the applicant mission and be in the form appropriate for filing in the Office of the Register of Deeds. One executed copy shall be filed in the Office of the Register of Deeds in the applicant’s county. After recording the original, executed, and filed document shall be delivered to the office of the Bishop of the Diocese. The other executed copy shall be retained as part of the permanent records of the applicant.

### **CANON 3 Organization of Parishes**

Title I, Canon 3 Section 5 is hereby amended so as to read as follows:

*Section 5.* All parishes that hold any real property with reverter clauses to the grantor or other persons in the real property title shall make every effort to remove the possibility of such future reversion. No parish shall acquire real property that contains a reversion clause in the title to the property. Notwithstanding this restriction, if either the Diocese, the Trustees of the Diocese, or an entity controlled by either of them shall convey real property to a parish or mission, then the deed of conveyance shall contain a reverter clause, which shall provide substantially as follows: Provided, however, that if at any time the parish/mission shall dissolve, liquidate, close, become or be declared dormant, attempt to disassociate or otherwise disaffiliate its relationship from this Episcopal Diocese and The Episcopal Church, or otherwise cease to be a functioning Episcopal organization, then and in that event, title to this real property shall immediately and automatically revert to The Episcopal Church in South Carolina, or in default thereof, to The Episcopal Church.

Title I, Canon 3 is hereby amended to add a new Section 7, which shall read as follows:

*Section 7.* Prior to such new applicant being formally accepted as a parish in communion with Diocese, such applicant parish must, after taking all required corporate and/or Board/Vestry action, execute a Commitment of Affirmation (see “Exhibit A”) that the applicant parish will remain in conformity with the Constitution and Canons, doctrine, discipline and worship of The Episcopal Church and of this Diocese, and to the rules regulating such parishes. Such Commitment of Affirmation must state that such obligations, commitments, and requirements are irrevocable. The Commitment of Affirmation must be properly executed in duplicate by the officers of the applicant parish and be in the form appropriate for filing in the Office of the Register of Deeds. One executed copy shall be filed in the Office of the Register of Deeds in the applicant’s county. After recording the original, executed, and filed document shall be delivered to the office of the Bishop of the Diocese. The other executed copy shall be retained as part of the permanent records of the applicant.

#### **CANON 4 Parishes and Missions in Union With Convention**

Title I, Canon 4 is hereby amended to add a new Sections 4,5,6, and 7, which shall read as follows:

*Section 4.* It shall be the duty of every parish and mission in union with the Convention to have taken all required corporate and/or Board/Vestry/Committee action, necessary to execute a Commitment of Affirmation (see “Exhibit A”) that the parish or mission will remain in conformity with the Constitution and Canons, doctrine, discipline, and worship of The Episcopal Church and of this Diocese, and to the rules regulating such parishes and missions. Such Commitment of Affirmation must state that such obligations, commitments, and requirements are irrevocable. The Commitment of Affirmation must be properly executed in duplicate by the officers of the applicant parish or mission and be in the form appropriate for filing in the Office of the Register of Deeds. One executed copy shall be filed in the Office of the Register of Deeds in the parish or mission’s county. After recording the original, executed, and filed document shall be delivered to the office of the Bishop of the Diocese. The other executed copy shall be retained as part of the permanent records of the parish or mission.

*Section 5.* A parish or mission may not leave, indicate an attempt to disassociate from, or otherwise disaffiliate its relationship from the Diocese and therefore with The Episcopal Church. Each parish or mission is in a permanent subordinate relationship to this Diocese and The Episcopal Church. This relationship is irrevocable and may not be changed or otherwise modified by a parish or mission.

*Section 6.* Every parish or mission, shall provide in its bylaws, articles of incorporation, and other governing documents a provision that provides for the following. In the event that the parish or mission shall dissolve, liquidate, close, become or be declared dormant, attempt to disassociate or otherwise disaffiliate its relationship from this Episcopal Diocese and The Episcopal Church, or otherwise cease to be a functioning Episcopal organization, then and in that event, its bylaws, articles of incorporation, and other governing documents shall provide that the assets of such parish or mission shall be transferred to the Diocese, or in default thereof to The Episcopal Church. Each parish or mission shall amend their governing documents to comply with the provisions of this section.

*Section 7.* A parish or mission may not revoke, amend or otherwise alter its bylaws, articles of incorporation, or other governing documents to attempt to disassociate or otherwise disaffiliate its relationship from this Diocese or from The Episcopal Church, and may make no other amendments without the prior written approval of both the Bishop and the Chancellor of the Diocese. Any changes either made or attempted to be made without such prior approvals shall be null and void.

## **CANON 5 – Dormant Parishes and Missions**

Title I, Canon 5 Section 2 is hereby amended so as to read as follows:

*Section 2.* If any parish or mission shall have failed for three successive years to elect a vestry (if a parish), or to send a delegate to the Convention (if in union with the Convention), or to make the reports required by Title 1, Canon 6, Section I of the General Convention, or to make a financial contribution to the program of the Diocese, such parish or mission shall be considered dormant and may be dissolved by the Bishop with the consent of the Standing Committee of the Diocese. If any parish or mission shall begin or attempt to disassociate or otherwise disaffiliate its relationship from this Episcopal Diocese and The Episcopal Church, or otherwise cease to be a functioning Episcopal organization, such parish or mission shall be considered dormant and may be dissolved by the Bishop with the consent of the Standing Committee of the Diocese.

### **CANON 12 Trustees of the Diocese**

Title I, Canon 12 is hereby amended to add an Introductory paragraph as the first paragraph of the Canon, which shall as to read as follows:

*Introduction:* The Trust referred to in this Canon is a trust created by Act #222 of Acts of the General Assembly of the State of South Carolina, approved February 20, 1880, as amended by Act # 612 of the Acts of the General Assembly of the State of South Carolina, approved February 20, 1902. The title of this Trust is “The Trustees of the Protestant Episcopal Church in South Carolina.” The beneficiary of this Trust is this Episcopal Diocese.

Title I, Canon 12 Section 1 is hereby amended so as to read as follows:

*Section 1.* There shall be a Board of Trustees duly elected by the Convention of the Diocese comprising six members, three shall be clergy, who are canonically resident in the diocese, and three laypersons, who are all communicants in good standing of a parish or mission of the Diocese. The Bishop shall serve as an ex-officio member with a vote and as President of the Trustees. The Chancellor of the Diocese shall serve ex officio without a vote.

In each even numbered calendar year at the Annual Convention, the Convention shall elect one member of the clergy and one lay member to be a trustee each for a term of six years. A trustee shall be eligible for reelection to one additional six-year term after the initial term and shall not be eligible to serve thereafter for two years following the expiration of the previous term served. Any Trustee, who shall serve less than a half of a full six-year term, shall be eligible to be elected for a maximum of two additional six-year terms. In the event that a vacancy shall occur during any trustee’s term, then the Bishop shall nominate to the trustees and the trustees, by majority vote, shall confirm a replacement trustee to serve until the next Annual Convention. At that next Annual Convention, a replacement Trustee shall be elected by the Convention to serve for the remainder of the term of the vacancy. The replacement trustee for a lay person shall be a lay person of the Diocese. The replacement trustee for a member of the clergy shall be another member of the clergy of the Diocese.

Title I, Canon 12 Section 4 is hereby amended so as to read as follows:

*Section 4.* The Trustees shall be responsible for the management of all the assets of the Diocese that are entrusted to its care and ownership.

The Trustees shall hold the legal title to all of the real property of the Diocese, and all real property acquired hereafter by the Diocese shall be conveyed to the Trustees at the time of its acquisition. Provided, however, that title to real property obtained by the Diocese in the settlement of litigation that the Diocese ultimately plans to distribute to a parish or mission may be retained by the Diocese until it is to be distributed out to a parish or mission. The Trustees shall be responsible for the management of all property of the Diocese including investment accounts, trusts, and other assets that are bequeathed to it or otherwise by the Trustees.

The Trustees shall, in accordance with all generally accepted investment standards, manage all the funds entrusted to it in accordance with any and all particular restrictions required by any and all restrictions and other terms and conditions impressed on such funds.

#### **CANON 15 Diocesan Council**

Title I, Canon 15 Section 1 is hereby amended so as to read as follow:

*Section 1.* The Diocesan Council shall administer and carry out the missionary, educational, and social work of this diocese and such other work as may be committed to it by the diocesan Convention. In addition, the Diocesan Council may initiate and develop new work between meetings of Convention, as it may deem necessary. Further, the Diocesan Council shall receive and administer all funds raised for the purpose of diocesan mission and ministry, subject to the provisions of the constitution and canons of this diocese.

The Bishop of the diocese shall be an ex-officio member with voice and vote and shall serve as both the president of the Diocesan Council and the executive head of all such work.

(NOTE: This will be inserted after the Canon text and before the Rules)

This Commitment of Affirmation will be adapted in form to be applicable to new missions, new parishes, and existing missions and parishes.

## Exhibit A

### Commitment of Affirmation

**WHEREAS**, \_\_\_\_\_ (Name of Mission or Parish) \_\_\_\_\_ is a Parish/Mission in communion with The Episcopal Diocese of South Carolina (the “Diocese”) and The Episcopal Church; and,

**WHEREAS**, this Commitment of Affirmation confirms both our historic, current, and future commitment to our Diocese and to The Episcopal Church.

We, \_\_\_\_\_ (Name of Mission or Parish) \_\_\_\_\_, do hereby irrevocably state and affirm that we:

1. Accede to both the Constitution and Canons of the diocese of The Episcopal Diocese of South Carolina and The Episcopal Church.
2. Acknowledge the superior and hierarchical authority of both our Diocese and The Episcopal Church, and agree to be governed thereby. We agree to remain in conformity with the Constitution and Canons, doctrine, discipline and worship of The Episcopal Church and of this Diocese, and to the rules regulating such parishes and missions.
3. Are a subordinate entity of The Episcopal Diocese of South Carolina and thereby also of The Episcopal Church.

We agree that we are bound by the constitutions, canons, and rules of both our Episcopal Diocese and The Episcopal Church including, but not limited to, the Diocesan Canon Title I, Canon 22 and The Episcopal Church canon Title 1. Canon 7. Sec. 4, which is commonly known as the “Dennis Canon.”

We acknowledge and state that this Commitment is permanent and irrevocable by us.

We affirm that the execution of this Commitment of Affirmation is made with adequate consideration by all parties and has been duly authorized by the governing board of \_\_\_\_\_  
(Name of Mission or Parish)\_\_\_\_\_.

IN WITNESS WHEREOF, \_\_\_\_\_ (Name of Mission or Parish)\_\_\_\_\_ has executed this  
Commitment of Affirmation this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

WITNESSES:

\_\_\_\_\_ (Name of Mission or Parish)

\_\_\_\_\_ By: \_\_\_\_\_  
\_\_\_\_\_ (Print Name) , its \_\_\_\_\_

\_\_\_\_\_ Attest: \_\_\_\_\_  
\_\_\_\_\_ (Print Name) , its \_\_\_\_\_

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF \_\_\_\_\_ )

ACKNOWLEDGMENT

I, \_\_\_\_\_, do hereby certify that \_\_\_\_\_ (Name of Mission or  
Parrish)\_\_\_\_\_ by its duly authorized officers personally appeared before me this day and  
acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_(SEAL)

Notary Public for South Carolina

My Commission Expires:

## Constitution – Proposed Changes<sup>1</sup>

(The proposed changes to the Constitution require a first vote at the 2022 Annual Convention and a second vote by Orders at the 2023 Annual Convention.)

Article I of the Constitution is hereby amended so as to read as follows:

### ARTICLE I Recognition of the Authority of the Episcopal Church

The Episcopal Church in ~~Diocese of~~ South Carolina accedes to and adopts the Constitution and Canons of The Episcopal Church, ~~as they now exist or may hereafter be amended by The Episcopal Church's General Convention,~~ ~~acknowledges its authority accordingly,~~ and agrees to be ~~permanently and irrevocably~~ governed thereby.

Article II of the Constitution is hereby amended so as to read as follows:

### ARTICLE II Name ~~and Seal~~ of Diocese

*Section 1.* The Diocese shall be known by the name: ~~The Episcopal Church in~~ **Diocese of South Carolina**. (The Diocese has also been known as and done business as “The Episcopal Church in South Carolina,” “The Episcopal Church in the Diocese of South Carolina,” “The Protestant Episcopal Church in South Carolina,” and “The Protestant Episcopal Church in the Diocese of South Carolina.”)

The Diocese, which was first organized in 1785, is the historic and continuously existing Episcopal Diocese in South Carolina and was originally known as “The Protestant Episcopal Church for the Diocese of South Carolina.”

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<sup>1</sup> Deleted text is shown with a ~~strike-through~~. Added/new language is shown in **red print**.

*Section 2.* The seal of the Diocese shall be:



Section 4 of Article V of the Constitution is hereby amended, and Section 5 of Article 5 is deleted in its entirety so as to read as follows:

**ARTICLE V**  
**Diocesan Convention Members**

*Section 4.* ~~Each~~ All canonically resident clergy (priests and deacons) priest currently serving a church, an institution of the Diocese, or on diocesan staff, is are entitled to all privileges as a member of the Convention, including seat, voice, and vote. Each canonically resident retired priest, who served a church, an institution of the Diocese, or on diocesan staff for at least five years immediately prior to retirement, shall also be entitled to all privileges as a member of the Convention. Retired clergy who are canonically resident but ineligible for vote are entitled to seat and voice.

*Section 5.* ~~Each canonically resident deacon of the Diocese shall be entitled to seat and voice as a member of the Convention.~~

Section 1 through Section 1.1.3, inclusive, of Article VII are hereby amended so as to read as follows:

**ARTICLE VII**  
**Officers and Staff of the Diocese**

Section 1. The constitutional officers of the Diocese shall be a Chancellor, a ~~Vice Chancellor (if elected)~~, a Secretary, a Treasurer, and a Historiographer, and, at the Bishop's discretion, a Vice Chancellor, each of whom shall be a confirmed communicant of the Church,

and a member of a parish or mission in union with the Convention, or a priest canonically resident in the Diocese.

Section 1.1. The Chancellor and a Vice Chancellor shall be nominated by the Bishop and shall be elected by a majority vote of the Convention. If a Vice Chancellor is to be nominated by the Bishop, the nomination must be approved by the Chancellor. The term of office of the Vice Chancellor, if so elected, shall run concurrently with the term of the Chancellor. They shall serve for three years and shall continue until their successors are elected. Their duties shall be to act as legal advisors of the ~~Ecclesiastical Authority~~ Bishop, Standing Committee, Diocesan Council, Trustees, Diocesan Convention, and other Diocesan offices and organizations, in matters affecting the interest of the Church. They shall be ex-officio members of the Convention without the right to vote, unless a delegate from a parish or mission in union with the Convention. If the office of Chancellor or Vice Chancellor becomes vacant during the term of office, the Bishop, with approval of the Standing Committee, shall appoint an Acting Chancellor or Acting Vice Chancellor to complete the remainder of the term of the vacant office.

Section 1.2 The Secretary shall be nominated by the Bishop and confirmed at each annual Convention and shall continue in office until his/her successor is elected. The Secretary shall be responsible for the publication of the Journal of the Convention. The Secretary's duties shall be as prescribed by the Constitution, Canons, resolutions, and Rules of Order of both the Convention of this Diocese and of the General Convention. The Secretary shall be an ex officio member of the Convention without the right to vote, unless a delegate from a parish or mission in union with the Convention or a priest canonically resident in the Diocese. If the office of Secretary becomes vacant during the term of office, the Bishop, with approval of the Standing Committee, shall appoint an Acting Secretary to complete the remainder of the term of the vacant office.

Section 1.3. The Treasurer shall be elected at each annual Convention and shall continue in office until a successor is elected. The Treasurer's duties shall be as prescribed by the Constitution, Canons, resolutions, and Rules of Order of both the Convention of this Diocese and of the General Convention. The Treasurer shall be an ex officio member of the Convention without the right to vote, unless the Treasurer is a delegate from a parish or mission in union with the Convention or a priest canonically resident in the Diocese. If the office of Treasurer becomes vacant during the term of office, the Bishop, with approval of the Standing Committee, shall appoint an Acting Treasurer to complete the remainder of the term of the vacant office.

Section 1 of Article VIII of the Constitution is hereby amended so as to read as follows:

**ARTICLE VIII**  
**Admitting Parishes and Missions Into Union with the Convention**

*Section 1.* Parishes and/or missions, which have been organized as provided by the canons of both The Episcopal Church in **Diocese of** South Carolina and The Episcopal Church for not less than one year, may apply for and be admitted into union with the Convention by vote of the Convention, provided that the requirements hereinafter set forth in the canons have been met.

Section 1 of Article IX of the Constitution is hereby amended so as to read as follows:

**ARTICLE IX**  
**Standing Committee**

*Section 1.* There shall be a Standing Committee consisting of six priests of the Diocese and six laypersons, who are confirmed communicants in good standing of the Church in the Diocese. ~~The Chancellor, unless an elected member of the Standing Committee, shall be an ex-officio member of the Standing Committee without vote.~~ The members of the Standing Committee shall be elected by ballot for a term of three (3) years. At each annual Convention two priests and two laypersons shall be elected for a term of three (3) years. No priest or layperson whose term has expired shall be eligible for re-election until the passage of one Convention year from the date of said expiration.

Section 1 of Article X of the Constitution is hereby amended so as to read as follows:

**ARTICLE X**  
**Deputies to the General Convention**

*Section 1.* At an Annual Convention during the triennium between General Conventions, but preceding each General Convention, priests, **deacons**, and laypersons, in the appropriate number and having qualifications established by The Episcopal Church, shall be chosen by ballot to represent the Diocese at the next succeeding General Convention. No more than the requisite number of other priests, **deacons**, and laypersons, having the same qualifications, shall be chosen by ballot, as alternates for those selected. Such representatives and alternates shall serve until their successors are elected and qualified.

Article XI of the Constitution is hereby amended so as to read as follows:

**ARTICLE XI**  
**Discipline of a Bishop, Priest or Deacon**

A bishop, priest, or deacon shall be subject to discipline for offences enumerated in both the canons of The Episcopal Church in **Diocese of** South Carolina and The Episcopal Church and, if found guilty, shall be sentenced in accordance therewith. The action shall be conducted according to both the canons of The Episcopal Church in **Diocese of** South Carolina and The Episcopal Church.

## Canons – Proposed Changes

(The proposed changes to the Canons require a vote at the 2022 Annual Convention.)

### CANON 2 Organization of Missions

Title I, Canon 2 is hereby amended to add a new section to be designated as “Section 7”, which shall so read as follows:

*Section 7.* Prior to such new applicant being formally accepted as a mission in communion with Diocese, such applicant mission must, after taking all required corporate and/or Board/Committee action, execute a Commitment of Affirmation (see “Exhibit A”) that the applicant mission will remain in conformity with the Constitution and Canons, doctrine, discipline and worship of The Episcopal Church and of this Diocese, and to the rules regulating such missions. Such Commitment of Affirmation must state that such obligations, commitments, and requirements are irrevocable. The Commitment of Affirmation must be properly executed in duplicate by the officers of the applicant mission and be in the form appropriate for filing in the Office of the Register of Deeds. One executed copy shall be filed in the Office of the Register of Deeds in the applicant’s county. After recording the original, executed, and filed document shall be delivered to the office of the Bishop of the Diocese. The other executed copy shall be retained as part of the permanent records of the applicant.

### CANON 3 Organization of Parishes

Title I, Canon 3 Section 5 is hereby amended so as to read as follows:

*Section 5.* All parishes that hold any real property with reverter clauses to the grantor or other persons in the real property title shall make every effort to remove the possibility of such future reversion. No parish shall acquire real property that contains a reversion clause in the title to the property. Notwithstanding this restriction, if either the Diocese, the Trustees of the Diocese, or an entity controlled by either of them shall convey real property to a parish or mission, then the deed of conveyance shall contain a reverter clause, which shall provide substantially as follows: Provided, however, that if at any time the parish/mission shall dissolve, liquidate, close, become or be declared dormant, attempt to disassociate or otherwise disaffiliate its relationship from this Episcopal Diocese and The Episcopal Church, or otherwise cease to be a functioning Episcopal organization, then and in that event, title to this real property shall immediately and automatically revert to The Episcopal Church in South Carolina, or in default thereof, to The Episcopal Church.

Title I, Canon 3 is hereby amended to add a new Section 7, which shall read as follows:

*Section 7.* Prior to such new applicant being formally accepted as a parish in communion with Diocese, such applicant parish must, after taking all required corporate and/or Board/Vestry action, execute a Commitment of Affirmation (see “Exhibit A”) that the applicant parish will remain in conformity with the Constitution and Canons, doctrine, discipline and worship of The Episcopal Church and of this Diocese, and to the rules regulating such parishes. Such Commitment of Affirmation must state that such obligations, commitments, and requirements are irrevocable. The Commitment of Affirmation must be properly executed in duplicate by the officers of the applicant parish and be in the form appropriate for filing in the Office of the Register of Deeds. One executed copy shall be filed in the Office of the Register of Deeds in the applicant’s county. After recording the original, executed, and filed document shall be delivered to the office of the Bishop of the Diocese. The other executed copy shall be retained as part of the permanent records of the applicant.

#### **CANON 4 Parishes and Missions in Union With Convention**

Title I, Canon 4 is hereby amended to add a new Sections 4,5,6, and 7, which shall read as follows:

*Section 4.* It shall be the duty of every parish and mission in union with the Convention to have taken all required corporate and/or Board/Vestry/Committee action, necessary to execute a Commitment of Affirmation (see “Exhibit A”) that the parish or mission will remain in conformity with the Constitution and Canons, doctrine, discipline, and worship of The Episcopal Church and of this Diocese, and to the rules regulating such parishes and missions. Such Commitment of Affirmation must state that such obligations, commitments, and requirements are irrevocable. The Commitment of Affirmation must be properly executed in duplicate by the officers of the applicant parish or mission and be in the form appropriate for filing in the Office of the Register of Deeds. One executed copy shall be filed in the Office of the Register of Deeds in the parish or mission’s county. After recording the original, executed, and filed document shall be delivered to the office of the Bishop of the Diocese. The other executed copy shall be retained as part of the permanent records of the parish or mission.

*Section 5.* A parish or mission may not leave, indicate an attempt to disassociate from, or otherwise disaffiliate its relationship from the Diocese and therefore with The Episcopal Church. Each parish or mission is in a permanent subordinate relationship to this Diocese and The Episcopal Church. This relationship is irrevocable and may not be changed or otherwise modified by a parish or mission.

*Section 6.* Every parish or mission, shall provide in its bylaws, articles of incorporation, and other governing documents a provision that provides for the following. In the event that the parish or mission shall dissolve, liquidate, close, become or be declared dormant, attempt to disassociate or otherwise disaffiliate its relationship from this Episcopal Diocese and The Episcopal Church, or otherwise cease to be a functioning Episcopal organization, then and in that event, its bylaws, articles of incorporation, and other governing documents shall provide that the assets of such parish or mission shall be transferred to the Diocese, or in default thereof to The Episcopal Church. Each parish or mission shall amend their governing documents to comply with the provisions of this section.

*Section 7.* A parish or mission may not revoke, amend or otherwise alter its bylaws, articles of incorporation, or other governing documents to attempt to disassociate or otherwise disaffiliate its relationship from this Diocese or from The Episcopal Church, and may make no other amendments without the prior written approval of both the Bishop and the Chancellor of the Diocese. Any changes either made or attempted to be made without such prior approvals shall be null and void.

## **CANON 5 – Dormant Parishes and Missions**

Title I, Canon 5 Section 2 is hereby amended so as to read as follows:

*Section 2.* If any parish or mission shall have failed for three successive years to elect a vestry (if a parish), or to send a delegate to the Convention (if in union with the Convention), or to make the reports required by Title 1, Canon 6, Section I of the General Convention, or to make a financial contribution to the program of the Diocese, such parish or mission shall be considered dormant and may be dissolved by the Bishop with the consent of the Standing Committee of the Diocese. *If any parish or mission shall begin or attempt to disassociate or otherwise disaffiliate its relationship from this Episcopal Diocese and The Episcopal Church, or otherwise cease to be a functioning Episcopal organization, such parish or mission shall be considered dormant and may be dissolved by the Bishop with the consent of the Standing Committee of the Diocese.*

### **CANON 12 Trustees of the Diocese**

Title I, Canon 12 is hereby amended to add an Introductory paragraph as the first paragraph of the Canon, which shall as to read as follows:

*Introduction:* The Trust referred to in this Canon is a trust created by Act #222 of Acts of the General Assembly of the State of South Carolina, approved February 20, 1880, as amended by Act # 612 of the Acts of the General Assembly of the State of South Carolina, approved February 20, 1902. The title of this Trust is “The Trustees of the Protestant Episcopal Church in South Carolina.” The beneficiary of this Trust is this Episcopal Diocese.

Title I, Canon 12 Section 1 is hereby amended so as to read as follows:

*Section 1.* There shall be a Board of Trustees duly elected by the Convention of the Diocese comprising six members, three shall be clergy, who are canonically resident in the diocese, and three **laypersons**, who are all communicants in good standing of a parish or mission of the Diocese. ~~in addition to~~ The Bishop ~~who~~ shall serve **as an ex-officio and member** with a vote **and** as President of the Trustees. ~~and~~ The Chancellor of the Diocese ~~who~~ shall serve ex officio ~~but~~ without a vote.

~~At the first annual Convention of the Diocese after the adoption of this Canon, six Trustees shall be elected as follows: one member of the clergy and one lay person for a term of two years, one member of the clergy and one lay person for a term of four years, and one member of the clergy and one lay person for a term of six years so that thereafter the terms of two Trustees shall expire each year.~~ **In each even numbered calendar year at the Annual Convention, the Convention shall elect one member of the clergy and one lay member to be a trustee each for a term of six years.** A trustee shall be eligible for reelection to one additional six-year term after the initial term and shall not be eligible to serve thereafter for two years following the expiration of the previous term served. **Any Trustee, who shall serve less than a half of a full six-year term, shall be eligible to be elected for a maximum of two additional six-year terms.** In the event that a vacancy shall occur during any trustee’s term, then the Bishop shall nominate to the trustees and the trustees, by majority vote, shall confirm a replacement trustee to serve until the next Annual Convention. At that next Annual Convention, a replacement Trustee shall be elected by the Convention to serve for the remainder of the term of the vacancy. The replacement trustee for a lay person shall be a lay person of the Diocese. The replacement trustee for a member of the clergy shall be another member of the clergy of the Diocese.

Title I, Canon 12 Section 4 is hereby amended so as to read as follows:

*Section 4.* The Trustees shall be responsible for the management of all the assets of the Diocese that are entrusted to its care and ownership.

The Trustees shall hold the legal title to all of the real property of the Diocese, and all real property acquired hereafter by the Diocese shall be conveyed to **the Trustees** at the time of its acquisition. **Provided, however, that title to real property obtained by the Diocese in the settlement of litigation that the Diocese ultimately plans to distribute to a parish or mission may be retained by the Diocese until it is to be distributed out to a parish or mission.** ~~and the~~ The Trustees shall be responsible for the management of all property of the Diocese including investment accounts, trusts, and other assets that are bequeathed to it or otherwise by the Trustees.

The Trustees shall, in accordance with all generally accepted investment standards, manage all the funds entrusted to it in accordance with any and all particular restrictions required by any and all restrictions and other terms and conditions impressed on such funds.

#### **CANON 15 Diocesan Council**

Title I, Canon 15 Section 1 is hereby amended so as to read as follow:

*Section 1.* The Diocesan Council shall administer and carry out the missionary, educational, and social work of this diocese and such other work as may be committed to it by the diocesan Convention. In addition, the Diocesan Council may initiate and develop new work between meetings of Convention, as it may deem necessary. Further, the Diocesan Council shall receive and administer all funds raised for the purpose of diocesan mission and ministry, subject to the provisions of the constitution and canons of this diocese.

The Bishop of the diocese **shall be an ex-officio member with voice and vote and shall serve as both the** president of the Diocesan Council and the executive head of all such work.

(NOTE: This will be inserted after the Canon text and before the Rules)

This Commitment of Affirmation will be adapted in form to be applicable to new missions, new parishes, and existing missions and parishes.

## **Exhibit A**

### **Commitment of Affirmation**

**WHEREAS**,                     (Name of Mission or Parish)                     is a Parish/Mission in communion with The Episcopal Diocese of South Carolina (the “Diocese”) and The Episcopal Church; and,

**WHEREAS**, this Commitment of Affirmation confirms both our historic, current, and future commitment to our Diocese and to The Episcopal Church.

We,                     (Name of Mission or Parish)                    , do hereby irrevocably state and affirm that we:

1. Accede to both the Constitution and Canons of the diocese of The Episcopal Diocese of South Carolina and The Episcopal Church.
2. Acknowledge the superior and hierarchical authority of both our Diocese and The Episcopal Church, and agree to be governed thereby. We agree to remain in conformity with the Constitution and Canons, doctrine, discipline and worship of The Episcopal Church and of this Diocese, and to the rules regulating such parishes and missions.
3. Are a subordinate entity of The Episcopal Diocese of South Carolina and thereby also of The Episcopal Church.

We agree that we are bound by the constitutions, canons, and rules of both our Episcopal Diocese and The Episcopal Church including, but not limited to, the Diocesan Canon Title I, Canon 22 and The Episcopal Church canon Title 1. Canon 7. Sec. 4, which is commonly known as the “Dennis Canon.”

We acknowledge and state that this Commitment is permanent and irrevocable by us.

We affirm that the execution of this Commitment of Affirmation is made with adequate consideration by all parties and has been duly authorized by the governing board of \_\_\_\_\_ (Name of Mission or Parish) \_\_\_\_\_.

IN WITNESS WHEREOF, \_\_\_\_\_ (Name of Mission or Parish) \_\_\_\_\_ has executed this Commitment of Affirmation this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

WITNESSES:

\_\_\_\_\_ (Name of Mission or Parish)

\_\_\_\_\_ By: \_\_\_\_\_  
(Print Name) , its \_\_\_\_\_

\_\_\_\_\_ Attest: \_\_\_\_\_  
(Print Name) , its \_\_\_\_\_

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF \_\_\_\_\_ )

ACKNOWLEDGMENT

I, \_\_\_\_\_, do hereby certify that \_\_\_\_\_ (Name of Mission or Parrish) \_\_\_\_\_ by its duly authorized officers personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_(SEAL)  
Notary Public for South Carolina  
My Commission Expires: