

**SOUTH CAROLINA**  
**SENATE AMENDMENT**

AMENDMENT NO. 3

Ken Moffitt  
March 13, 2024

ADOPTED	TABLED	CARRIED OVER	FAILED	RECONSIDERED

\_\_\_\_\_  
Clerk of the Senate

ADOPTION NO. \_\_\_\_\_

**BILL NO: S. 975**

(Reference is to the original version)

Senators Martin and Cash proposes the following amendment (SR-975.KM0018S):

Amend the bill, as and if amended, SECTION 2, by striking Section 16-17-780(A)(2) and inserting:

(2) “Gene therapy” means any product mediates its effects by transcription or translation of transferred genetic material or by integrating into the host genome and that are administered as nucleic acids, viruses, or genetically engineered microorganisms.

(3) “Indemnified product” means any product, including, but not limited to, a covered countermeasure, for which the manufacturers and distributors are shielded from direct civil or criminal liability to consumers for personal injuries and damages resulting from the use of the product as determined by state or federal law.

Amend the bill further, SECTION 2, by striking Section 16-17-780(B) and inserting:

(B) It is unlawful for any person, partnership, for-profit or non-profit corporation, limited liability corporation, colleges, schools, or the State and its political subdivisions and their agents that employ one or more employees to mandate employees, contractors, students, patrons, customers, clients, or guests to receive a novel vaccine, indemnified product, or gene therapy described in this section as a precondition for employment, entry into buildings and grounds, attendance, participation, or purchase or receipt of any products and services offered.

Amend the bill further, SECTION 3, by striking Section 41-1-55(A)(4) and inserting:

(4) “Gene therapy” means any product that mediates its effects by transcription or translation of transferred genetic material or by integrating into the host genome and that are administered as nucleic acids, viruses, or genetically engineered microorganisms.

Amend the bill further, SECTION 3, by striking Section 41-1-55(A)(6) and inserting:

(6) “Vaccine” means a suspension of attenuated or killed microorganisms, or of antigenic proteins derived from them, that is administered for prevention, amelioration, or treatment of infectious diseases.

(7) “Indemnified product” means any product, including, but not limited to, a covered countermeasure, for which the manufacturers and distributors are shielded from direct civil or criminal liability to consumers for personal injuries and damages resulting from the use of the product as determined by state or federal law.

Amend the bill further, SECTION 3, by striking Section 41-1-55(B) and inserting:

(B) Employers are prohibited from taking any adverse pre-employment or employment action,

including, but not limited to, discrimination, termination, suspension, involuntary reassignment, unpaid leave, demotion, harassment, coercion, or retaliation against an individual who declines to receive a novel vaccine, indemnified product, or gene therapy as defined in this section.

Amend the bill further, SECTION 6, by striking Section 44-4-130(L) and inserting:

(L) “Gene therapy” means any product that mediates its effects by transcription or translation of transferred genetic material or by integrating into the host genome and that are administered as nucleic acids, viruses, or genetically engineered microorganisms.

~~(K)~~

Amend the bill further, SECTION 6, by striking Section 44-4-130(AA) and inserting:

(AA) “Vaccine” means a suspension of attenuated or killed microorganisms, or of antigenic proteins derived from them, that is administered for prevention, amelioration, or treatment of infectious diseases.

Amend the bill further, SECTION 11, by striking Section 44-4-530(A) and inserting:

(A) During a public health emergency, ~~DHEC~~ the department may isolate or quarantine an individual or groups of individuals who have been diagnosed with or exposed to the contagious disease for which the public health emergency was declared. This includes individuals or groups who have not been vaccinated, treated, tested, or examined pursuant to Sections 44-4-510 and 44-4-520. ~~DHEC~~ The department may also establish and maintain places of isolation and quarantine, ~~and~~ set rules, and make orders.

Amend the bill further, SECTION 11, by striking Section 44-4-530(D)(2) and inserting:

(3)(2) A person entering an isolation or quarantine premises with or without authorization of from the department DHEC may be isolated or quarantined as provided for in this chapter.

(4)

Amend the bill further, by striking SECTION 15 and inserting:

SECTION 15. This act takes effect July 1, <sup>2024</sup>~~2004~~.

Renumber sections to conform.

Amend title to conform.