AMENDED

May 24, 2016

**H. 5299**

Introduced by Reps. G.M. Smith, J.E. Smith, Herbkersman, Huggins, Merrill, Anderson, Spires, McCoy, Limehouse, Collins, Stavrinakis, Bernstein, Riley, Bannister, Finlay, Weeks, Bingham, Rutherford, Kennedy, Newton, Horne, Cole, Jefferson, Williams and R.L. Brown

S. Printed 5/24/16--S.

Read the first time May 11, 2016.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25‑1‑445 SO AS TO GIVE THE GOVERNOR AUTHORITY IN TIMES OF EMERGENCY TO MAKE CERTAIN ACCOMMODATIONS FOR A PERSON TRANSPORTING GOODS, AND TO PROVIDE FOR A CERTIFICATION SYSTEM.

Amend Title To Conform

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

SECTION 1. Article 4, Chapter 1, Title 25 of the 1976 Code is amended by adding:

“Section 25‑1‑445. (A) The Director of the South Carolina Emergency Management Division shall develop a system by which a person who transports goods or services, or assists in ensuring their availability, and a person who assists in the restoration of utility or other services can be certified as such for the purpose of reentry into an area subject to a state or local curfew. The certification system shall be included in the State Emergency Plan.

(B) Before certification, the employer must be in good standing with the South Carolina Secretary of State as a bona fide company doing business in South Carolina. The employer’s status may be verified on the website maintained by the South Carolina Secretary of State. A certification of the employer constitutes a certification of the employer’s employees.

(C) Notwithstanding the existence of any curfew, a person who is certified pursuant to this section shall be allowed to reenter or remain in the curfew area for the limited purpose of transporting goods or services or assisting in the restoration of utility or other services. Nothing in this section shall prohibit law enforcement or local officials from denying access to an area in order to preserve, protect, or sustain the life, health, safety, or economic well‑being of a person or property or from granting access as otherwise deemed necessary.

(D) Nothing in this section shall limit the Governor’s authority, when an emergency has been declared, to set, alter, or exceed the terms of any curfew.”

SECTION 2. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑