Session 124 - (2021-2022)

H 3526 General Bill, By Hill

Summary: Emergency proclamations

A BILL TO AMEND SECTION 1-3-420, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GOVERNOR'S AUTHORITY TO ISSUE PROCLAMATIONS OF EMERGENCY, SO AS TO TRANSFER THIS AUTHORITY TO THE GENERAL ASSEMBLY AND TO ESTABLISH CONDITIONS AND PROCEDURES FOR THE GENERAL ASSEMBLY TO DECLARE A STATE OF EMERGENCY; TO AMEND SECTION 16-7-20, RELATING TO POWERS OF LAW ENFORCEMENT OFFICERS DURING A STATE OF EMERGENCY, SO AS TO REMOVE PROVISIONS CONCERNING PROCLAMATIONS OF A STATE OF EMERGENCY BY THE GOVERNOR; TO AMEND SECTION 25-1-1860, RELATING TO THE GOVERNOR'S PROCLAMATION TO DISPERSE, SO AS TO DECLARE THAT THE PROVISIONS OF THIS SECTION MUST NOT BE USED OR IMPLEMENTED IN ANY MANNER THAT VIOLATES, ABRIDGES, OR INFRINGES UPON A PERSON'S RIGHT TO EXERCISE FREE SPEECH UNDER THE FIRST AMENDMENT OF THE UNITED STATES CONSTITUTION OR SECTION 2, ARTICLE I OF THE STATE CONSTITUTION; TO AMEND SECTION 44-4-130, RELATING TO DEFINITIONS APPLICABLE TO THE EMERGENCY HEALTH POWERS ACT, SO AS TO REVISE THE DEFINITION OF "QUALIFYING HEALTH CONDITION"; TO AMEND SECTION 44-4-510, RELATING TO QUARANTINES IMPOSED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL DURING PUBLIC HEALTH EMERGENCIES, SO AS TO ELIMINATE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL'S AUTHORITY TO ISOLATE OR QUARANTINE CERTAIN INDIVIDUALS WHO REFUSE PHYSICAL EXAMINATION OR TESTING; TO AMEND SECTION 44-4-540, RELATING TO ISOLATION AND QUARANTINE PROCEDURES, SO AS TO ELIMINATE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL'S AUTHORITY TO ISOLATE OR QUARANTINE AN INDIVIDUAL OR A GROUP OF INDIVIDUALS THROUGH AN EXTRAJUDICIAL EMERGENCY ORDER SIGNED BY THE COMMISSIONER; AND TO REPEAL SECTIONS 16-7-10 RELATING TO ACTS CONSIDERED ILLEGAL DURING A STATE OF EMERGENCY, 25-1-445 RELATING TO ENTRY INTO AREAS UNDER CURFEW, 44-1-100 RELATING TO ASSISTANCE FROM PEACE AND HEALTH OFFICERS, 44-4-520 RELATING TO VACCINATIONS AND TREATMENT, AND 44-4-530 RELATING TO ISOLATION AND QUARANTINE OF INDIVIDUALS OR GROUPS.

12/16/20	**House**	**Prefiled**
12/16/20	**House**	**Referred to Committee on Judiciary**
01/12/21	**House**	**Introduced and read first time (House Journal-page 225)**
01/12/21	**House**	**Referred to Committee on Judiciary (House Journal-page 225)**