**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11‑1‑130 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR THIS STATE OR ANY POLITICAL SUBDIVISION THEREOF TO ACCEPT ANY FEDERAL FUNDS TO ENFORCE AN UNLAWFUL FEDERAL MASK MANDATE OR UNLAWFUL FEDERAL VACCINE MANDATE.

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

SECTION 1. Chapter 1, Title 11 of the 1976 Code is amended by adding:

“Section 11‑1‑130 (A) It is unlawful for this State, or any political subdivision thereof, to accept any federal funds to enforce an unlawful federal mask mandate or unlawful federal vaccine mandate.

(B) An ‘unlawful federal mask mandate’ means any federal law, order, rule, regulation, plan of action, or otherwise which requires a resident of the State of South Carolina to wear a face mask or other face covering to minimize the spread of COVID‑19 or any other infectious disease. Any such unlawful federal mask mandate is invalid in this State and may not be recognized in this State and is null, void, and of no effect in this State and includes, but is not limited to:

(1) an executive order or proclamation of the President of the United States requiring residents of this State to wear a face mask or other face covering to minimize the spread of COVID‑19 or any other infectious disease;

(2) a rule, regulation, or requirement promulgated or issued by a federal agency, or a subdivision of a federal agency, requiring residents of this State to wear a face mask or other face covering to minimize the spread of COVID‑19 or any other infectious disease including, but not limited to, rules, regulations, or requirements of the Centers for Disease Control and Prevention, the National Institutes of Health, the United States Department of Health and Human Services, the United States Department of Education, the Occupational Safety and Health Administration, the United States Department of Labor, the Food Safety and Inspection Service, and the United States Department of Agriculture;

(3) any order or other communication of any other federal political subdivision, such as a coronavirus or COVID‑19 task force, requiring residents of this State to wear a face mask or other face covering to minimize the spread of COVID‑19 or any other infectious disease; or

(4) a federal statute requiring residents of this State to wear a face mask or other face covering to minimize the spread of COVID‑19 or any other infectious disease.

(C) An ‘unlawful federal vaccine mandate’ means federal law, order, rule, regulation, plan of action, or otherwise which requires a resident of the State of South Carolina to receive a vaccine to minimize the spread of COVID‑19 or any other infectious disease. Any such unlawful federal vaccine mandate is invalid in this State and may not be recognized in this State and is null, void, and of no effect in this State and includes, but is not limited to:

(1) an executive order or proclamation of the President of the United States requiring residents of this State to receive a vaccine to minimize the spread of COVID‑19 or any other infectious disease;

(2) a rule, regulation, or requirement promulgated or issued by a federal agency, or a subdivision of a federal agency, requiring residents of this State to receive a vaccine to minimize the spread of COVID‑19 or any other infectious disease including, but not limited to, rules, regulations, or requirements of the Centers for Disease Control and Prevention, the National Institutes of Health, the United States Department of Health and Human Services, the United States Department of Education, the Occupational Safety and Health Administration, the United States Department of Labor, the Food Safety and Inspection Service, and the United States Department of Agriculture;

(3) any order or other communication of any other federal political subdivision, such as a coronavirus or COVID‑19 task force, requiring residents of this State to receive a vaccine to minimize the spread of COVID‑19 or any other infectious disease; or

(4) a federal statute requiring residents of this State to receive a vaccine to minimize the spread of COVID‑19 or any other infectious disease.”

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

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