**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “OPEN FOR BUSINESS ACT” BY ADDING SECTION 39‑1‑100 SO AS TO ALLOW BUSINESSES ORDERED TO CEASE OR LIMIT OPERATIONS TO CONTINUE OR RESUME OPERATIONS IF THEY CAN DEMONSTRATE COMPLIANCE WITH SAFETY PRECAUTIONS.

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

SECTION 1. This act is known and may be cited as the “Open for Business Act”.

SECTION 2. Chapter 1, Title 39 of the 1976 Code is amended by adding:

“Section 39‑1‑100. (A) No business may be closed or ordered to cease or limit operations by order or rule of the Governor or any other state agency director, issued to prevent a threat to the public caused by a pandemic, epidemic, threated epidemic, unusual prevalence of a communicable disease, or bioterrorism event, if it can demonstrate:

(1) it has implemented similar safety protocols of businesses permitted to stay open under the order of closure; or

(2) it has implemented safety protocols and procedures recommended by the Department of Health and Environmental Control or the Department of Labor, Licensing and Regulation.

(B) If a business that has been ordered to cease or limit operations can demonstrate to its local municipal or county governing body that it can operate within the protocols of other businesses within the same jurisdiction that are allowed to remain open, the business may resume operations.

(C) Businesses allowed to continue or resume operations under this section must continue to comply with safety protocols and procedures recommended by the Department of Health and Environmental Control and the Department of Labor, Licensing and Regulation so long as they are still in effect during a declared business closure as described in subsection (A).

(D) No provision of this act intends to infringe upon a state agency’s legal authority to promulgate rules and regulations.”

SECTION 3. This act takes effect upon approval by the Governor.

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