**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3490**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Reps. Brawley, King, Cobb‑Hunter, Garvin, Howard, Robinson, J.L. Johnson and K.O. Johnson

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Introduced in the House on January 12, 2021

Currently residing in the House Committee on **Judiciary**

Summary: Masks

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/16/2020 House Prefiled

12/16/2020 House Referred to Committee on **Judiciary**

1/12/2021 House Introduced and read first time ([House Journal‑page 209](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 209](file:///h:\hj\20210112.docx))

1/13/2021 House Member(s) request name added as sponsor: J.L.Johnson, K.O.Johnson

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3490&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/16/2020](file:///p:\pprever\2021-22\3490_20201216.docx)

**A** **JOINT RESOLUTION**

TO REQUIRE CERTAIN INDIVIDUALS PRESENT IN THE STATE OF SOUTH CAROLINA TO WEAR FACE COVERINGS WHEN IN PUBLIC TO PREVENT THE SPREAD OF COVID-19.

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

SECTION 1. (A) For purposes of this section, “face covering” means a cloth, fabric, or other soft or permeable material, without holes, that covers a person’s nose and mouth and remains in place without the use of one’s hands and includes handmade masks, bandanas, face shields, surgical masks, and “N 95” respirators.

(B)(1) Every person over five years of age who is working, living, visiting, or doing business in the State of South Carolina is required to wear a face covering when:

(a) inside a building open to the public;

(b) waiting to enter a building open to the public; or

(c) in outdoor spaces where groups of ten or more are gathered, regardless of the ability to social distance.

(C) Nothing in this section requires the wearing of a face covering under the following circumstances:

(1) while eating or drinking at restaurants or other public places;

(2) when wearing a face covering would cause or aggravate an existing health condition; or

(3) when communicating with the deaf or hard of hearing.

(D) A person required by this section to wear a face covering who does not comply with the requirements of subsection (B)(1) is subject to:

(1) penalties in effect in the local jurisdiction of the violation so long as the penalty meets or exceed the following:

(a) a civil fine of twenty-five dollars for a first violation;

(b) a civil fine of fifty dollars for a second violation; and

(c) a civil fine of one hundred dollars for each subsequent violation.

(2) in the absence of a locally enacted penalty, violators would be fined:

(a) a civil fine of twenty-five dollars for a first violation;

(b) a civil fine of fifty dollars for a second violation; and

(c) a civil fine of one hundred dollars for each subsequent violation.

SECTION 2. This joint resolution takes effect upon approval by the Governor and expires upon the issuance of CDC guidelines that do not include the wearing of face coverings to prevent the spread of COVID-19.

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