**South Carolina General Assembly**

124th Session, 2021-2022

**H. 4391**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Fry, Herbkersman, Crawford, May, Jones, Taylor, Wooten, Oremus, Huggins, Hardee, McGinnis, Haddon, Jordan, Morgan, Long, Erickson, Burns, Dabney, Elliott, McGarry, Trantham, T. Moore, Ballentine, Chumley, Hiott, Hewitt, Bailey, G.R. Smith, Felder, McCravy, McCabe, Bustos, Carter, Forrest, B. Cox, Hyde, Magnuson, Lowe, Sandifer and Thayer

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Introduced in the House on May 13, 2021

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

Summary: Vaccine passport

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

5/13/2021 House Introduced and read first time ([House Journal‑page 19](file:///h:\hj\20210513.docx))

5/13/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 19](file:///h:\hj\20210513.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4391&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[5/13/2021](file:///p:\pprever\2021-22\4391_20210513.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑29‑260 SO AS TO PROHIBIT BUSINESSES, GOVERNMENTAL ENTITIES, AND EDUCATIONAL INSTITUTIONS IN THIS STATE FROM REQUIRING PATRONS, RESIDENTS, OR STUDENTS TO PROVIDE PROOF OF VACCINATION FOR COVID‑19, AND FOR OTHER PURPOSES.

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

SECTION 1. Chapter 29, Title 44 of the 1976 Code is amended by adding:

“Section 44‑29‑260. (A) A for‑profit or not‑for‑profit business entity, organized in any form whatsoever operating in this State, may not require patrons or customers to provide any documentation certifying COVID‑19 vaccination or post‑infection recovery to gain access to, entry upon, or service from the business’s operations in this State. This subsection does not otherwise restrict businesses from instituting screening protocols in accordance with state or federal law to protect public health.

(B) A South Carolina governmental agency, division, authority, board, commission, instrumentality, political subdivision, municipality, county, or other governmental entity may not require any documentation certifying COVID‑19 vaccination or post‑infection recovery to gain access to, entry upon, or service from the governmental entity’s operations in this State. This subsection does not otherwise restrict governmental entities from instituting screening protocols in accordance with state or federal law to protect public health.

(C) An educational institution may not require students or residents to provide any documentation certifying COVID‑19 vaccination or post‑infection recovery for attendance or enrollment, or to gain access to, entry upon, or service from the educational institution in this State. This subsection does not otherwise restrict educational institutions from instituting screening protocols in accordance with state or federal law to protect public health. For purposes of this subsection, ‘educational institution’ means a school, including a preschool, elementary school, middle school, junior high school, secondary school, career center, and post‑secondary school, whether public or nonpublic.

(D) A violation of this section may result in a fine imposed by the Department of Health and Environmental Control, not to exceed five thousand dollars per violation.

(E) This section does not apply to a health care provider or health care facility, as those terms are defined in Section 44‑4‑130, or to a health care provider or practitioner licensed or certified pursuant to Title 40.”

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

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