**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3217**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Chumley, Burns, Jones, Taylor, McGarry, B. Cox, Hill, May, Long, Forrest, McCabe, Oremus, Yow, Trantham, Bennett, Haddon, Thayer, Hixon, Hiott, Pope, Ligon and McCravy

Document Path: l:\council\bills\cc\15846vr21.docx

Companion/Similar bill(s): 3511

Introduced in the House on January 12, 2021

Currently residing in the House Committee on **Medical, Military, Public and Municipal Affairs**

Summary: Vaccinations

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 House Prefiled

12/9/2020 House Referred to Committee on **Medical, Military, Public and Municipal Affairs**

1/12/2021 House Introduced and read first time ([House Journal‑page 119](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 119](file:///h:\hj\20210112.docx))

1/13/2021 House Member(s) request name added as sponsor: Yow, Trantham

1/14/2021 House Member(s) request name added as sponsor: Bennett

1/28/2021 House Member(s) request name added as sponsor: Haddon

2/2/2021 House Member(s) request name added as sponsor: Thayer

2/10/2021 House Member(s) request name added as sponsor: Hixon, Hiott

3/17/2021 House Member(s) request name added as sponsor: Pope, Ligon

1/25/2022 House Member(s) request name added as sponsor: McCravy

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**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\3217_20201209.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑29‑45 SO AS TO ALLOW INDIVIDUALS TO OPT OUT OF INFECTIOUS OR CONTAGIOUS DISEASE VACCINATIONS FOR ANY REASON; AND TO AMEND SECTION 44‑53‑360, AS AMENDED, RELATING TO PRESCRIPTIONS, SO AS TO PROHIBIT REGULATORY AUTHORITIES FROM INTERFERING WITH THE PRESCRIBING PRACTICES OF A PRACTITIONER.

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 44‑29‑45. Any vaccination offered by the Department of Health and Environmental Control as part of any mass immunization project to protect against infectious disease, or to prevent the spread of a pandemic or a contagious or possibly contagious disease, may be provided only to those individuals who agree to the vaccination, in accordance with Section 44-4-520(B). For purposes of this section:

(1) ‘Infectious disease’ has the same meaning as defined in Section 44‑4‑130.

(2) ‘Pandemic’ means an outbreak of a disease that occurs over a wide geographic area that affects an exceptionally high proportion of the population including, but not limited to, COVID‑19.”

SECTION 2. Section 44‑53‑360 of the 1976 Code, as last amended by Act 160 of 2020, is further amended by adding an appropriately lettered subsection at the end to read:

“( ) A regulatory or licensing entity is prohibited from interfering with a bona fide practitioner‑patient relationship between a practitioner with prescribing authority under the laws of the State and that practitioner’s patient to prevent the practitioner from prescribing or dispensing a controlled substance to the patient, absent a directive from the federal Food and Drug Administration that the controlled substance has been determined not to be safe or effective, or the approval of which has otherwise been withdrawn by the federal Food and Drug Administration.”

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

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