**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3387**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Magnuson, Burns, Jones, Morgan, Chumley, May, Haddon, McCabe and B. Cox

Document Path: l:\council\bills\nbd\11101dg21.docx

Introduced in the House on January 12, 2021

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

Summary: State of Emergency

**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 **Judiciary**

1/12/2021 House Introduced and read first time ([House Journal‑page 178](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 178](file:///h:\hj\20210112.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3387&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\3387_20201209.docx)

**A** **BILL**

TO AMEND SECTION 25‑1‑440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A STATE OF EMERGENCY, SO AS PROVIDE THAT THE GOVERNOR MAY NOT DECLARE A NEW STATE OF EMERGENCY WHICH HAS THE EFFECT OF EXTENDING ANOTHER DECLARATION, NOR MAY THE GOVERNOR DECLARE A NEW STATE OF EMERGENCY FOR THE SAME UNDERLYING DISASTER BECAUSE OF CHANGED CIRCUMSTANCES OR A CHANGE IN THE DEGREE OF IMPACT.

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

SECTION 1. Section 25‑1‑440(a)(2) of the 1976 Code is amended to read:

“(2) declare a state of emergency for all or part of the State if he finds a disaster or a public health emergency, as defined in Section 44‑4‑130, has occurred, or that the threat thereof is imminent and extraordinary measures are considered necessary to cope with the existing or anticipated situation. A declared state of emergency shall not continue for a period of more than fifteen days without the express consent of the General Assembly. If the General Assembly does not expressly consent, the Governor may not declare a new state of emergency which has the effect of extending the original declaration, nor may the Governor declare a new state of emergency for the same underlying disaster because of changed circumstances or a change in the degree of impact;”

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

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