**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39‑15‑60 SO AS TO PROVIDE THAT ANY GOOD SOLD IN THIS STATE THAT WAS PRODUCED IN THE PEOPLE’S REPUBLIC OF CHINA MUST HAVE A LABEL TO INDICATE WHETHER OR NOT THE GOOD WAS PRODUCED THROUGH FORCED LABOR AND TO PROVIDE FOR ENFORCEMENT AND PENALTIES.

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

SECTION 1. Article 1, Chapter 15, Title 39 of the 1976 Code is amended by adding:

“Section 39‑15‑60. (A) Any good sold in this State that was produced in whole or in part in the People’s Republic of China must have a label to indicate whether or not the good was produced through forced labor.

(B)(1) Whenever the Attorney General has reasonable cause to believe that any person is violating the provisions of this section and that proceedings would be in the public interest, he may bring an action in the name of the State against such person to restrain by temporary restraining order, temporary injunction, or permanent injunction the unlawful action. Unless the Attorney General determines in writing that the purposes of this section will be substantially impaired by delay in instituting legal proceedings, he shall, at least three days before instituting any legal proceedings as provided in this section, give notice to the person against whom proceedings are contemplated and give such person an opportunity to present reasons to the Attorney General why such proceedings should not be instituted. The action may be brought in the court of common pleas in the county in which such person resides, has his principal place of business, or conducts or transacts business. The courts are authorized to issue orders and injunctions to restrain and prevent violations of this section, and such orders and injunctions must be issued without bond. Whenever any permanent injunction is issued by such court in connection with any action which has become final, reasonable costs must be awarded to the State.

(2) The court may make such additional orders or judgments as may be necessary to restore to any person who has suffered any ascertainable loss by reason of the use or employment of such unlawful method, act or practice, any monies or property, real or personal, which may have been acquired by means of any practice declared to be unlawful in this section, including the revocation of a license or certificate authorizing that person to engage in business in this State, provided the order declaring the practice to have been unlawful has become final.

(C) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than ten years, or both.

(D) For the purposes of this section, ‘People’s Republic of China’ includes all agencies, institutions, instrumentalities, and political subdivisions of the People’s Republic of China.”

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

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