

From: Pisarik, Holly <HollyPisarik@gov.sc.gov>
To: Patel, SwatiSwatiPatel@gov.sc.gov
Schimsa, RebeccaRebeccaSchimsa@gov.sc.gov
Date: 10/5/2015 4:26:59 PM
Subject: Fwd: Pass language

We determined this is going to be handled at the local level not by EO, right?

Sent from my iPhone

Begin forwarded message:

From: "Smith, Austin" <AustinSmith@gov.sc.gov>
Date: October 5, 2015, 2:45:16 PM EDT
To: Lindsey Kueffner <LindseyK@ncrma.org>
Cc: Lisa McGill <lisam@scetail.org>, "Pisarik, Holly" <HollyPisarik@gov.sc.gov>
Subject: Re: Pass language

Thanks Lindsey. I'm sharing with our General Counsel by copy of this email.

We are also working with the Department of Public Safety to assist retailers. DPS Director Leroy Smith is coordinating with Richard Hodgkiss at EMD to determine how they can best assure safe routes for getting goods into impacted areas.

On Oct 5, 2015, at 2:39 PM, Lindsey Kueffner <LindseyK@ncrma.org> wrote:

Austin,

Lisa McGill Sweatman sent me your contact information and asked me to send you language that would allow for a statewide (or local) reentry and curfew pass system. Below is language on how it has been handled in other states. I've left this language verbatim and recognize that it may not conform to South Carolina's statutory language.

(c) *Certification System.* - *The Secretary shall develop a system pursuant to which a person who transports essentials in commerce, or assists in ensuring their availability, and persons who assist in the restoring of utility services can be certified as such. The certification system shall allow for both preemergency declaration and postemergency declaration certification and may include an annually renewable precertification. The Secretary shall only allow those who routinely transport or distribute essentials or assist in the restoring of utility services to be certified. A certification of the employer shall constitute a certification of the employer's employees. The Secretary shall create an easily recognizable indicium of certification in order to assist local officials' efforts to determine which persons have received certification by the system established under this subsection.*

(d) *Presence in Curfew Area Permitted.* - *Notwithstanding the existence of any curfew, a person who is certified pursuant to the system established under subsection (c) of this section shall be allowed to enter or remain in the curfew area for the limited purpose of delivering or assisting in the distribution of essentials or assisting in the restoration of utility services and shall be allowed to*

provide service that exceeds otherwise applicable hours of service maximums, to the extent authorized by an executive order executed pursuant to subsection (a) of this section. Nothing in this section prohibits law enforcement or other local officials from specifying the permissible route of ingress or egress for persons with certifications.

Please let me know if you have any questions or need any additional information.

Thanks,
Lindsey

Lindsey R. Kueffner
Executive Director
South Carolina Retail Association
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