

From: Schimsa, Rebecca <RebeccaSchimsa@gov.sc.gov>

To: Pisarik, HollyHollyPisarik@gov.sc.gov

CC: Patel, SwatiSwatiPatel@gov.sc.gov

Baker, JoshJoshBaker@gov.sc.gov

Date: 10/12/2015 5:09:18 PM

Subject: Re: emergency expiration date issues

Attachments: image002.png

image004.png

So we could limit the declaration of emergency by county for the specific purpose of ongoing recovery efforts? Using the Major Disaster Declaration as a guide? I expect we will add a few counties, so it may help to be general rather than specific.

I think we should prepare this order by the 15th.

Sent from my iPhone

On Oct 12, 2015, at 3:59 PM, Pisarik, Holly <HollyPisarik@gov.sc.gov> wrote:

SECTION 25-1-440. Additional powers and duties of Governor during declared emergency.

(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 consent of the General Assembly;**

In Executive Order 2015-21 (issued October 1), she declared a state of emergency for the State of South Carolina, and it does not look like she can renew or extend that order without consent of the General Assembly. But, I do think she can issue a new Executive Order declaring a state of emergency in certain counties of the state. *See* 25-1-440 (declare a state of emergency for . . . part of the State). I looked back at Hugo. This must have been the purpose of the order below. It was issued 15 days after the original Executive Order. The 15 days is up on Executive Order 15-21 on Oct. 16.

<image002.png>

<image004.png>

From: Schimsa, Rebecca

Sent: Monday, October 12, 2015 3:06 PM

To: Pisarik, Holly

Cc: Patel, Swati; Baker, Josh

Subject: emergency expiration date issues

Holly – Can you research when the Governor’s emergency declaration expires? There is a statute for a 15 day limit. What is her authority to extend or review the emergency?