**South Carolina General Assembly**

124th Session, 2021-2022

**H. 3111**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Chumley, Burns, B. Cox, Haddon, Long, Pope, Forrest and Thayer

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Introduced in the House on January 12, 2021

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

Summary: Daylight saving time

**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 76](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 76](file:///h:\hj\20210112.docx))

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

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**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\3111_20201209.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 2 TO CHAPTER 1, TITLE 1 SO AS TO PROVIDE THAT THE TIME KNOWN AS EASTERN STANDARD TIME IS ADVANCED BY ONE HOUR BEGINNING AT 2:00 A.M. ON THE SECOND SUNDAY OF MARCH OF 2021, AND BEGINNING ON THIS DATE AND TIME AND THEREAFTER PERMANENTLY BECOMES STANDARD TIME IN SOUTH CAROLINA WITH NO FURTHER ADJUSTMENTS UNDER STATE OR FEDERAL LAW, AND TO PROVIDE FOR PROCEDURAL AND RELATED PROVISIONS TO GIVE THE ABOVE PROVISIONS EFFECT INCLUDING HAVING THE STATE ATTORNEY GENERAL SUBMIT A WAIVER REQUEST TO THE FEDERAL SECRETARY OF TRANSPORTATION PERMITTING AND APPROVING THESE PROVISIONS IN ORDER FOR THEM TO TAKE EFFECT.

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

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

“Article 2

Standard Time for South Carolina

Section 1‑1‑30. The time known as Eastern Standard Time in South Carolina under the provisions of 15 U.S.C. Section 260a through 264 is advanced by one hour beginning at 2:00 a.m. on the second Sunday of March of 2021, and beginning on this date and time and thereafter permanently becomes standard time in South Carolina with no further adjustments under state or federal law.

Section 1‑1‑40. The General Assembly acknowledges and takes notice under the provisions of 15 U.S.C. Section 260a(b) that states are preempted from changing or advancing time contrary to federal law. However, the provisions of this section incorporate the advancement of time under federal law during certain parts of the year commonly known as Daylight Saving Time into what will be standard time in South Carolina permanently. Additionally, because the State of South Carolina lies wholly within one time zone and under 15 U.S.C. 260a(a), South Carolina, by state law, may choose to exempt itself from Daylight Saving Time, by implication, is consequently entitled by state law to advance time in other circumstances since the exact time in all states in the Eastern and other time zones is not required to be uniform under federal law.

Section 1‑1‑50. The Attorney General of South Carolina on the effective date of this article, shall request a waiver from the United States Secretary of Transportation who, under 15 U.S.C. 260a(c), is charged with enforcing the provisions of 15 U.S.C. 260a in order to permit and approve South Carolina’s extension of the one hour advancement of time to a year‑round basis. If the waiver is not granted, the provisions of this article become null and void ten days after the Secretary of State is notified by the Attorney General that the waiver could not be obtained.”

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

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