STAY AT HOME


Order No. 2020-19: [https://governor.sc.gov/sites/default/files/Documents/Executive-Orders/2020-04-03%20eFILED%20Executive%20Order%20No.%202020-19%20-%20Lodging%20%26%20Travel%20Restrictions%20for%20Individuals%20from%20High-Risk%20Areas.pdf](https://governor.sc.gov/sites/default/files/Documents/Executive-Orders/2020-04-03%20eFILED%20Executive%20Order%20No.%202020-19%20-%20Lodging%20%26%20Travel%20Restrictions%20for%20Individuals%20from%20High-Risk%20Areas.pdf)


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**GENERAL TOPIC** | **SUMMARY** | **SECTION #**
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**Effective Period** | The Order went into effect on 4/7/2020 at 5:00 p.m. and will remain in effect for the duration of the State of Emergency unless otherwise modified, amended or rescinded by subsequent Order. | §1(B)

**Intent** | The Order was intended to prepare for and respond to the ongoing impacts associated with COVID-19 by implementing social distancing and stay at home policies to avoid exposure to, and the slow the spread of, COVID-19. | §2(C)

**Failure to Comply** | An individual who violates the order will be guilty of a misdemeanor and, upon conviction, will be fined not more than one hundred dollars or imprisoned for not more than thirty days. | §2(C)

**Shelter in Place of Residence (Stay at Home)** | Individuals should limit their movements outside of the home except to engage in Essential Business, Essential Activities, or Critical Infrastructure Operations. | §1(B)

**Non-Essential Businesses – Closure/Restrictions** | Non-Essential Businesses were defined under Executive Order 2020-18, and include entertainment venues, recreational and athletic facilities and activities, close contact service providers, and retail stores as detailed below. Businesses must limit the number of customers allowed on the premises, and shall not knowingly allow customers to congregate within six (6) feet of one another (excluding family units). They will also implement reasonable steps to comply with applicable sanitation guidelines. Restaurants may not permit on premises or dine-in consumption. | §1(D)

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Disclaimer: The information provided in this handout is general information and not designed to be and should not be relied on as your sole source of information when analyzing and resolving a specific legal issue. Each fact situation is different; the laws are constantly changing. If you have specific questions regarding a particular fact situation, we urge you to consult with legal counsel.

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<td><strong>Essential Businesses</strong></td>
<td>The Order does not provide a specific list of Essential Businesses. Instead, the Governor through Executive Order 2020-18 provided a list of Non-Essential Businesses. All business are urged to promote social distancing and are encouraged to utilize telecommuting or work-from-home options for employees and to provide alternate means of purchasing and delivering products and services, to include online or telephone orders and curbside or off-site delivery.</td>
<td>§1(K)</td>
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<td><strong>Travel</strong></td>
<td>Individuals and entities engaged in renting properties are prohibited from making or accepting new reservations or bookings from or for individuals residing in or travelling from any geographic area identified in a CDC travel advisory, a location with extensive community transmission of COVID-19, or from New York, New Jersey, and Connecticut.</td>
<td>Order No. 2020-19</td>
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<td><strong>Waiver/Appeal</strong></td>
<td>Entities may contact the South Carolina Department of Commerce for clarification and requests related to Non-Essential designations.</td>
<td>Order No. 2020-18</td>
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<td><strong>Impact on Other Orders</strong></td>
<td>This Order supersedes and preempts any local ordinance rule or regulation that conflicts with the Order.</td>
<td>§3(B)</td>
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### DEFINITIONS (SUMMARY)

**Essential and Non-Essential Businesses**

As previously mentioned the South Carolina Order does not provide a list of Essential Business. Instead, South Carolina has provided a list of Non-Essential Businesses.

Non-Essential Businesses include:

- Entertainment venues and facilities (e.g. night clubs, bowling alleys, concert venues, tourist attracts, racetracks etc.)
- Recreation and athletic facilities and activities (e.g. fitness centers, spectator sports, activities using shared or public equipment etc.)
- Close contact service providers (e.g. beauty salons, tattoo services, massage therapy, etc.)

Additionally, the following non-essential business will be closed to non-employees and will not be open for access or use to the public:

- **Retail Stores:**
  - Furniture and home-furnishings stores
  - Clothing, shoe, and clothing-accessory stores
  - Jewelry, luggage, and leather goods stores
  - Jewelry, luggage, and leather goods stores
  - Department stores, with the exception of hardware and home-improvement stores
  - Sporting goods stores
  - Book, craft, and music stores
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| Essential Activities | Essential Activities include:  
  - Caring for or visiting a family member  
  - Obtaining necessary supplies and services  
  - Engaging in activities essential for health and safety  
  - Caring for pets  
  - Engaging in outdoor exercise or recreational activities  
  - Attending religious services  
  - Traveling as required by law | §1(E) |
| Critical Infrastructure Operations | Critical Infrastructure Operations includes:  
  - Individuals operating commercial vehicles transporting essential goods and product  
  - Individuals employed by airlines  
  - Individuals otherwise engaged in commercial transportation activities  
  - Individuals performing or assisting with military, healthcare, public safety, or emergency response operations  
  - Operations or services identified by the United States Cybersecurity and Infrastructure Security Agency in its March 28, 2020 Memorandum or any future amendments or supplements | §1(F) |
| Social Distancing Requirements | Any individual leaving his or her residence should take reasonable steps to maintain six (6) feet of separation from any other person.  
Businesses must limit the number of customers allowed to enter and simultaneously occupy the premises to no more than five (5) customers per 1,000 square feet of retail space or twenty percent (20%) of the occupancy limit as determined by the fire marshal, which is less.  
Business shall not knowingly allow customers to congregate within six (6) feet of one another, exclusive of family units.  
Additionally, business shall implement reasonable steps to comply with applicable sanitation guidelines from the CDC, the SC Department of Health and Environmental Control, or any other state and federal public health officials. | §1(E)  
§1(I)(1)  
§1(I)(2)  
§1(I)(3) |
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<td></td>
<td>Any and all businesses, venues, facilities, services, and activities in this State are urged to facilitate effective “social distancing” practices. Businesses and organizations are also encouraged to utilize telecommuting or work-from-home options for employees and to provide alternate means of purchasing and delivering products and services, to include online or telephone orders and curbside or off-site deliveries, and individuals are encouraged to utilize such options to support businesses in this State during the ongoing public health emergency.</td>
<td>§1(K))</td>
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**DISCLAIMER:** This information is provided for convenience only, and should not be relied upon in making decisions for your business. As this is a rapidly changing area, reference should always be made to the official order and related interpretative guidance. If you have specific questions about how any particular jurisdiction’s Order affects your business, or other COVID-19 topics, please contact a member of the Holland & Knight’s COVID-19 Response Team – State and Local Orders and Regulations.