

## Session 112 - (1997-1998)

### S\*0303 (Rat #0122, Act #0065 of 1997) General Bill, By Courtney and Land

A BILL TO AMEND SECTION 42-1-415, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SUBMISSION OF DOCUMENTATION TO THE WORKERS' COMPENSATION COMMISSION THAT A CONTRACTOR OR SUBCONTRACTOR HAS REPRESENTED HIMSELF TO A HIGHER TIER SUBCONTRACTOR, CONTRACTOR, OR PROJECT OWNER AS HAVING WORKERS' COMPENSATION INSURANCE AT THE TIME THE CONTRACTOR OR SUBCONTRACTOR WAS ENGAGED TO PERFORM WORK AND TO REIMBURSEMENT FROM THE UNINSURED EMPLOYERS' FUND, SO AS TO, AMONG OTHER THINGS, DELETE THE PROVISION THAT ONLY CONTRACTOR OR SUBCONTRACTOR WHO REPRESENTED HIMSELF AS HAVING WORKERS' COMPENSATION INSURANCE MAY BE CONSIDERED A STATUTORY EMPLOYER FOR CLAIMS FILED BY HIS EMPLOYEES UNDER TITLE 42, PROVIDE INSTEAD THAT THE HIGHER TIER SUBCONTRACTOR OR CONTRACTOR, OR PROJECT OWNER MUST BE RELIEVED OF LIABILITY UNDER TITLE 42 EXCEPT AS SPECIFICALLY PROVIDED IN HIS SECTION, DELETE CERTAIN OTHER LANGUAGE AND PROVISIONS, PROVIDE THAT THE UNINSURED EMPLOYERS' FUND SHALL ASSUME RESPONSIBILITY FOR CLAIMS WITHIN THIRTY DAYS, RATHER THAN NINETY DAYS, OF A DETERMINATION OF RESPONSIBILITY MADE BY THE WORKERS' COMPENSATION COMMISSION, PROVIDE FOR THE "KNOWING AND WILFUL" FALSIFYING OF CERTAIN INFORMATION, THE "KNOWING AND WILFUL" FAILURE TO PROVIDE CERTAIN NOTIFICATION, AND CERTAIN "KNOWING AND WILFUL" FALSE DOCUMENTATION, AND PROVIDE FOR CERTAIN PENALTIES.-AMENDED TITLE

02/04/97	Senate	Introduced and read first time SJ-9
02/04/97	Senate	Referred to Committee on Judiciary SJ-9
04/23/97	Senate	Committee report: Favorable with amendment Judiciary SJ-10
04/29/97	Senate	Amended SJ-28
04/29/97	Senate	Read second time SJ-28
04/29/97	Senate	Ordered to third reading with notice of amendments SJ-28
04/30/97	Senate	Amended SJ-59
04/30/97	Senate	Read third time and sent to House SJ-59
05/01/97	House	Introduced and read first time HJ-8
05/01/97	House	Referred to Committee on Labor, Commerce and Industry HJ-8
05/14/97	House	Committee report: Favorable Labor, Commerce and Industry HJ-5
05/20/97	House	Read second time HJ-5
05/21/97	House	Read third time and enrolled HJ-19
06/04/97		Ratified R 122
06/10/97		Signed By Governor
06/10/97		Effective date 06/10/97
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06/24/97		Act No. 65