

## Session 119 - (2011-2012)

**H\*3286 (Rat #0011, Act #0003 of 2011) General Bill, By Bingham**

**Similar (S 0478, H 3762, H 4198)**

**Summary:** Unemployment benefits

AN ACT TO AMEND SECTION 41-27-260, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EMPLOYMENT EXEMPT FROM THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, SO AS TO MAKE TECHNICAL CORRECTIONS AND REMOVE AN EXCEPTION TO AN EXEMPTION FOR REAL ESTATE AGENTS COMPENSATED SOLELY BY COMMISSION; TO AMEND SECTION 41-27-410, AS AMENDED, RELATING TO A CONTINGENCY ASSESSMENT, SO AS TO CHANGE ARCANE REFERENCES, AND TO REMOVE A CERTAIN CATEGORY OF EMPLOYER FROM THIS ASSESSMENT; TO AMEND SECTION 41-27-610, AS AMENDED, RELATING TO THE FAILURE TO PERFORM CERTAIN ACTS ARE CONSIDERED TO HAVE OCCURRED, SO AS TO SPECIFY THE CITY OF THIS LOCATION; TO AMEND SECTION 41-29-150, AS AMENDED, RELATING TO CERTAIN RECORDKEEPING REQUIREMENTS AND ASSOCIATED INSPECTION AND CONFIDENTIALITY REQUIREMENTS, SO AS TO INCREASE THE FINE FOR A VIOLATION; TO AMEND SECTION 41-29-170, AS AMENDED, RELATING TO PERMITTED DISCLOSURE OF CERTAIN INFORMATION, SO AS TO PROVIDE THE DEPARTMENT MAY PROVIDE CERTAIN INFORMATION, TO PROVIDE FOR THE DISCLOSURE OF THIS INFORMATION TO CERTAIN PRIVATE PARTIES; TO AMEND SECTION 41-29-180, AS AMENDED, RELATING TO A MANDATE ON THE DEPARTMENT TO MINIMIZE REPORTING CONTENTS AND FREQUENCY, SO AS TO DELETE A PROHIBITION ON REQUIRING CERTAIN REPORTS MORE THAN QUARTERLY; TO AMEND SECTION 41-29-250, AS AMENDED, RELATING TO THE MANDATORY PUBLICATION AND FURNISHING OF CERTAIN MATERIAL BY THE DEPARTMENT, SO AS TO ELIMINATE A REQUIREMENT THAT THE DEPARTMENT MAKE THIS INFORMATION AVAILABLE ON REQUEST AND IMPOSE A REQUIREMENT THAT THE DEPARTMENT MAKE THIS INFORMATION AVAILABLE ON ITS INTERNET WEBSITE; TO AMEND SECTION 41-29-270, AS AMENDED, RELATING TO THE EMERGENCY UNEMPLOYMENT COMPENSATION SYSTEM, SO AS TO MAKE THE OBLIGATION OF THE DEPARTMENT TO PROMULGATE REGULATIONS NEEDED FOR AN EMERGENCY UNEMPLOYMENT COMPENSATION SYSTEM OPTIONAL RATHER THAN MANDATORY, AND TO PROVIDE THE DEPARTMENT MAY PROMULGATE THESE REGULATIONS IN THE EVENT OF A NATURAL DISASTER AS DECLARED BY THE PRESIDENT; TO AMEND SECTION 41-31-10, AS AMENDED, RELATING TO THE GENERAL RATE OF CONTRIBUTION TO THE UNEMPLOYMENT INSURANCE TRUST FUND, SO AS TO CHANGE THIS RATE TO THE TAX RATE ASSIGNED TO RATE CLASS TWENTY, SUBJECT TO EXCEPTIONS; TO AMEND SECTION 41-31-30, AS AMENDED, RELATING TO THE CLASSIFICATION OF EMPLOYERS FOR THE PURPOSE OF RATE CONTRIBUTIONS, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL CLASSIFY EMPLOYERS BASED ON THE TOTAL TAXABLE WAGES REPORTED; TO AMEND SECTION 41-31-55, AS AMENDED, RELATING TO ADDITIONAL SURCHARGES IMPOSED WHEN THE UNEMPLOYMENT INSURANCE TRUST FUND IS INSOLVENT, SO AS TO PROVIDE FOR THE MANNER IN WHICH THE FUNDS MUST BE DEPOSITED; TO AMEND ARTICLE 3, CHAPTER 33, TITLE 41, RELATING TO THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE ADMINISTRATION FUND, SO AS TO MAKE TECHNICAL AND CONFORMING CHANGES; TO AMEND ARTICLE 5, CHAPTER 33, TITLE 41, RELATING TO THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE SPECIAL ADMINISTRATION FUNDS, SO AS TO MAKE TECHNICAL CHANGES, CONFORMING CHANGES, TO CREATE THE DEPARTMENT OF WORKFORCE AND EMPLOYMENT INTEREST ASSESSMENT FUND, AND PROVIDE FOR THE FUNDING AND MANAGEMENT OF THE FUND; TO AMEND SECTION 41-35-320, RELATING TO THE PAYMENT OF EXTENDED UNEMPLOYMENT SECURITY BENEFITS WHEN FEDERALLY FUNDED, SO AS TO MODIFY THE DEFINITION OF A STATE "ON" INDICATOR; AND TO AMEND SECTION 41-35-615, RELATING TO CLAIMS AND NOTICE PROVISIONS CONCERNING EMPLOYERS, SO AS TO CHANGE THE TIME WITHIN WHICH AN EMPLOYER MAY NOT BE REQUIRED TO RESPOND TO THIS NOTICE. - ratified title

01/12/11	House	Introduced and read first time (House Journal-page 19)
01/12/11	House	Referred to Committee on Ways and Means (House Journal-page 19)
01/13/11	House	Recalled from Committee on Ways and Means (House Journal-page 229)
01/18/11	House	Read second time (House Journal-page 16)
01/18/11	House	Roll call Yeas-101 Nays-0 (House Journal-page 16)
01/19/11	House	Read third time and sent to Senate (House Journal-page 30)
01/19/11	Senate	Introduced and read first time (Senate Journal-page 9)
01/19/11	Senate	Referred to Committee on Labor, Commerce and Industry (Senate Journal-page 9)
01/20/11	Senate	Polled out of committee Labor, Commerce and Industry (Senate Journal-page 8)
01/20/11	Senate	Committee report: Favorable Labor, Commerce and Industry (Senate Journal-page 8)

01/25/11	Senate	Amended (Senate Journal-page 18)
01/25/11	Senate	Read second time (Senate Journal-page 18)
01/25/11	Senate	Roll call Ayes-42 Nays-0 (Senate Journal-page 18)
01/26/11		Scrivener's error corrected
01/26/11	Senate	Read third time and returned to House with amendments (Senate Journal-page 21)
02/02/11	House	Concurred in Senate amendment and enrolled (House Journal-page 36)
02/02/11	House	Roll call Yeas-105 Nays-0 (House Journal-page 36)
03/10/11		Ratified R 11
03/14/11		Signed By Governor
03/17/11		Scrivener's error corrected
03/22/11		Effective date 03/14/11
04/11/11		Act No. 3