

## Session 121 - (2015-2016)

### **S\*0407 (Rat #0107, Act #0077 of 2015) General Bill, By Bryant and Young**

**Summary:** Corporate officers

AN ACT TO AMEND SECTION 41-27-265, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CORPORATE OFFICERS EXEMPTION FROM UNEMPLOYMENT BENEFITS ABSENT EMPLOYER ELECTION, SO AS TO PROVIDE THAT CORPORATE OFFICERS ARE ELIGIBLE FOR UNEMPLOYMENT BENEFITS UNLESS THE CORPORATION ELECTS TO OPT OUT OF THE COVERAGE AND TO PROVIDE FOR THE OPT OUT PROCESS, TO PROVIDE THAT THE SECTION ALSO APPLIES TO INDIVIDUALS WHO OWN TWENTY-FIVE PERCENT OR MORE STOCK IN A CORPORATION OR OTHERWISE EXERCISE AN OWNERSHIP INTEREST IN A CORPORATION, TO PROVIDE THAT PERSONS WITH A TWENTY-FIVE PERCENT OWNERSHIP INTEREST IN ANY OTHER BUSINESS ENTITY FORMED UNDER THE LAWS OF THIS STATE ARE ELIGIBLE FOR UNEMPLOYMENT BENEFITS UNLESS THE BUSINESS ENTITY ELECTS TO OPT OUT OF THE COVERAGE, TO PROVIDE THAT NEWLY-FORMED BUSINESS ENTITIES WITH PERSONS QUALIFIED FOR UNEMPLOYMENT BENEFITS UNDER THIS SECTION MUST REGISTER WITH THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE EACH QUALIFIED PERSON WHO THE ENTITY SEEKS TO EXEMPT; AND TO AMEND CHAPTER 41, TITLE 41, RELATING TO OFFENSES, PENALTIES, AND VIOLATIONS CONCERNING UNEMPLOYMENT BENEFITS, SO AS TO INCREASE PENALTIES FOR VIOLATIONS OF PROVISIONS CONTAINED IN CHAPTERS 27 THROUGH 41 OF TITLE 41, TO PROVIDE FINAL DECISIONS CONCERNING UNEMPLOYMENT BENEFITS OVERPAYMENTS ARE FINAL FOR ALL PURPOSES AND PROCEEDINGS, AND TO PROVIDE THE DEPARTMENT MAY RECOVER CERTAIN FINES THROUGH ACTION IN THE ADMINISTRATIVE LAW COURT; TO MAKE PROVISIONS OF SECTION 1 APPLICABLE RETROACTIVELY TO JANUARY 1, 2015, AND TO PROVIDE CREDIT AGAINST FUTURE CONTRIBUTIONS FOR EMPLOYERS WHOSE CONTRIBUTION RATES CONSEQUENTLY ARE REDUCED. - ratified title

<b>02/04/15</b>	<b>Senate</b>	<b>Introduced and read first time (Senate Journal-page 26)</b>
<b>02/04/15</b>	<b>Senate</b>	<b>Referred to Committee on Labor, Commerce and Industry (Senate Journal-page 26)</b>
<b>03/17/15</b>	<b>Senate</b>	<b>Committee report: Favorable Labor, Commerce and Industry (Senate Journal-page 11)</b>
<b>03/18/15</b>		<b>Scrivener's error corrected</b>
<b>03/18/15</b>	<b>Senate</b>	<b>Read second time (Senate Journal-page 24)</b>
<b>03/18/15</b>	<b>Senate</b>	<b>Roll call Ayes-44 Nays-1 (Senate Journal-page 24)</b>
<b>03/19/15</b>	<b>Senate</b>	<b>Read third time and sent to House (Senate Journal-page 8)</b>
<b>03/24/15</b>	<b>House</b>	<b>Introduced and read first time (House Journal-page 16)</b>
<b>03/24/15</b>	<b>House</b>	<b>Referred to Committee on Labor, Commerce and Industry (House Journal-page 16)</b>
<b>05/28/15</b>	<b>House</b>	<b>Recalled from Committee on Labor, Commerce and Industry (House Journal-page 24)</b>
<b>06/03/15</b>	<b>House</b>	<b>Amended (House Journal-page 20)</b>
<b>06/03/15</b>	<b>House</b>	<b>Read second time (House Journal-page 20)</b>
<b>06/03/15</b>	<b>House</b>	<b>Roll call Yeas-88 Nays-0 (House Journal-page 26)</b>
<b>06/03/15</b>	<b>House</b>	<b>Reconsidered (House Journal-page 201)</b>
<b>06/03/15</b>	<b>House</b>	<b>Amended (House Journal-page 202)</b>
<b>06/03/15</b>	<b>House</b>	<b>Read second time (House Journal-page 202)</b>
<b>06/03/15</b>	<b>House</b>	<b>Roll call Yeas-99 Nays-0 (House Journal-page 203)</b>
<b>06/04/15</b>	<b>House</b>	<b>Returned to Senate with amendments (House Journal-page 7)</b>
<b>06/04/15</b>	<b>Senate</b>	<b>Concurred in House amendment and enrolled (Senate Journal-page 76)</b>
<b>06/04/15</b>	<b>Senate</b>	<b>Roll call Ayes-41 Nays-0 (Senate Journal-page 76)</b>
<b>06/04/15</b>		<b>Ratified R 107</b>
<b>06/08/15</b>		<b>Signed By Governor</b>
<b>06/17/15</b>		<b>Effective date See Act for Effective Date</b>
<b>06/18/15</b>		<b>Act No. 77</b>