

## Session 119 - (2011-2012)

**S\*1125 (Rat #0274, Act #0247 of 2012) General Bill, By Bright, Bryant, S. Martin, Thomas, Gregory, Knotts, Campbell, Rose, Cromer, Fair, Campsen, Grooms, Peeler and Shoopman**

**Summary:** Unemployment benefits

AN ACT TO AMEND SECTION 41-35-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISQUALIFICATIONS FROM UNEMPLOYMENT BENEFITS, SO AS TO PROVIDE DISCHARGE FOR MISCONDUCT AS A BASIS FOR DISQUALIFICATION, TO SUBJECT A PERSON DISCHARGED FOR MISCONDUCT TO A PERIOD OF INELIGIBILITY FOR BENEFITS AND A SUBSEQUENT PERIOD OF REDUCED BENEFITS, TO DELETE OBSOLETE PROVISIONS RELATED TO DISCHARGE FOR CAUSE, TO SUBJECT A PERSON DISCHARGED FOR CAUSE OTHER THAN MISCONDUCT TO A PERIOD OF INELIGIBILITY FOR BENEFITS AND A SUBSEQUENT PERIOD OF REDUCED BENEFITS, AND TO PROVIDE DISCHARGE FOR CERTAIN SUBSTANDARD PERFORMANCE IS NOT A BASIS FOR DISQUALIFICATION FROM BENEFITS UNDER THIS SECTION; TO AMEND SECTION 41-35-130, AS AMENDED, RELATING TO BENEFIT PAYMENTS NOT CHARGEABLE TO A FORMER EMPLOYER, SO AS TO PROVIDE A BENEFIT PAID TO A CLAIMANT MAY NOT BE CHARGED TO AN EMPLOYER WHO IS SUBJECT TO THE PAYMENT OF CONTRIBUTIONS IF THE CLAIMANT WAS DISCHARGED BY HIS MOST RECENT BONA FIDE EMPLOYER FOR MISCONDUCT OF CLAIMANT CONNECTED TO HIS EMPLOYMENT, AND TO DEFINE TERMINOLOGY; AND TO AMEND SECTION 41-41-40, AS AMENDED, RELATING TO RECOVERY OF BENEFITS BY A PERSON NOT ENTITLED TO BENEFITS, SO AS TO PROVIDE UPON DETERMINATION BY THE DEPARTMENT OF A FRAUDULENT OVERPAYMENT, THE EMPLOYER WHOSE ACCOUNT WAS DEBITED FOR THE OVERPAYMENT MUST BE CREDITED THE AMOUNT OF THE OVERPAYMENT, SUBJECT TO CERTAIN EXCEPTIONS. - ratified title

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| 01/24/12 | Senate | Introduced and read first time (Senate Journal-page 2)  |
| 01/24/12 | Senate | Referred to Committee on Labor, Commerce and Industry (Senate Journal-page 2)   |
| 02/23/12 | Senate | Committee report: Favorable with amendment Labor, Commerce and Industry (Senate Journal-page 9)   |
| 03/14/12 | Senate | Motion For Special Order Failed (Senate Journal-page 45)  |
| 03/14/12 | Senate | Roll call Ayes-24 Nays-18 (Senate Journal-page 45)  |
| 03/21/12 | Senate | Motion For Special Order Failed (Senate Journal-page 46)  |
| 03/21/12 | Senate | Roll call Ayes-29 Nays-15 (Senate Journal-page 46)  |
| 03/28/12 | Senate | Committee Amendment Amended and Adopted (Senate Journal-page 35)  |
| 03/28/12 | Senate | Read second time (Senate Journal-page 35)   |
| 03/28/12 | Senate | Roll call Ayes-40 Nays-0 (Senate Journal-page 35)   |
| 03/29/12 | Senate | Read third time and sent to House (Senate Journal-page 14)  |
| 03/29/12 | House  | Introduced and read first time (House Journal-page 89)  |
| 03/29/12 | House  | Referred to Committee on Judiciary (House Journal-page 89)  |
| 03/29/12 | House  | Recalled from Committee on Judiciary (House Journal-page 120)   |
| 03/29/12 | House  | Referred to Committee on Labor, Commerce and Industry (House Journal-page 120)  |
| 03/29/12 |        | Scrivener's error corrected   |
| 05/09/12 | House  | Committee report: Favorable with amendment Labor, Commerce and Industry (House Journal-page 3)  |
| 05/16/12 | House  | Debate adjourned until Thur., 05-17-12 (House Journal-page 15)  |
| 05/17/12 | House  | Debate adjourned until Wed., 05-23-12 (House Journal-page 15)   |
| 05/23/12 | House  | Debate adjourned until Thur., 05-24-12 (House Journal-page 26)  |
| 05/24/12 | House  | Requests for debate-Rep(s). Anderson, Sandifer, White, Gilliard, JR Smith, Whitmire, RL Brown, Hosey, Neilson, Johnson, Sabb, Knight, Jefferson, Williams, Forrester, Brantley, Toole (House Journal-page 17) |
| 05/29/12 | House  | Amended (House Journal-page 40)   |
| 05/29/12 | House  | Read second time (House Journal-page 40)  |
| 05/29/12 | House  | Roll call Yeas-83 Nays-21 (House Journal-page 46)   |
| 05/30/12 | House  | Read third time and returned to Senate with amendments (House Journal-page 123)   |
| 06/07/12 | Senate | House amendment amended (Senate Journal-page 156)   |
| 06/07/12 | Senate | Roll call Ayes-41 Nays-1 (Senate Journal-page 156)  |
| 06/07/12 | Senate | Returned to House with amendments (Senate Journal-page 156)   |
| 06/07/12 | House  | Concurred in Senate amendment and enrolled  |

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| 06/07/12 | House | Roll call Yeas-80 Nays-2 (House Journal-page 124) |
| 06/12/12 |       | Ratified R 274                                    |
| 06/18/12 |       | Signed By Governor                                |
| 06/25/12 |       | Effective date 06/18/12                           |
| 06/27/12 |       | Act No. 247                                       |