

## Session 111 - (1995-1996)

### H\*3838 (Rat #0511, Act #0424 of 1996) General Bill, By House Labor, Commerce and Industry

#### Similar (S 0727)

A Bill to amend Section 42-1-40, Code of Laws of South Carolina, 1976, relating to the definition of "average weekly wages", so as to revise the definition; to amend Section 42-1-160, relating to the definitions of "injury" and "personal injury", so as to revise the definitions; to amend Section 42-1-310 and 42-1-320, relating to the application and effect of Workers' Compensation provisions, so as to provide that an employer or employee may not elect to not be bound by certain Workers' Compensation provisions and that the State, its political subdivisions, its employees and the employees of its subdivisions are subject to the Workers' Compensation provisions; to amend Section 42-1-460, relating to contracts subject to the Workers' Compensation provisions, so as to revise the conditions upon which a contract is subject to these provisions; to amend Section 42-9-260, as amended, relating to the notice an employer must provide the Workers' Compensation Commission when certain payments have begun and the suspension or termination of payments, so as to provide for the conditions upon which temporary disability payments may be granted; to amend Section 42-9-360, relating to assignments of compensation, so as to provide that it is unlawful for an authorized health care provider to pursue collection procedures against a Workers' Compensation claimant under certain circumstances, provide penalties for persons receiving certain illegal payments and the procedure in which a health care provider must be paid; to amend Section 42-19-10, as amended, relating to employers' records and reports of injuries, so as to revise the recordkeeping procedure; by adding Section 38-73-515 so as to provide that an insurer issuing Workers' Compensation insurance shall offer deductibles optional to the policyholder for certain benefits payable; to repeal Sections 42-1-330, 42-1-340, 42-1-510, and 42-1-530, relating to the waiver of certain exemptions, the effective date of and manner of giving notice of nonacceptance or waiver defenses that are not available to an employer under the Workers' Compensation provisions, and defenses that are not available to an employer when neither he nor an employee is covered by the Workers' Compensation provisions; and to amend Section 42-1-520, relating to defenses available to an employer operating under the Workers' Compensation provisions when an employee is not operating under these provisions, so as to substitute "officer of a corporation" for "employee".-amended title

03/22/95	House	Introduced, read first time, placed on calendar without reference HJ-12
03/28/95	House	Objection by Rep. Cato, Clyburn, Anderson, Davenport, L. Whipper, A. Young, Cooper, Mason, Huff, Neilson, Howard, Govan, Cobb-Hunter, Harvin, McElveen & Delleney HJ-42
04/05/95	House	Debate interrupted HJ-72
04/26/95	House	Read second time HJ-148
04/26/95	House	Roll call Yeas-78 Nays-17 HJ-148
04/27/95	House	Read third time and sent to Senate HJ-54
04/27/95	House	Motion noted: Reconsider the vote whereby H. 3838 received third reading HJ-55
05/03/95	House	Motion to reconsider tabled HJ-79
05/04/95	Senate	Introduced and read first time SJ-7
05/04/95	Senate	Referred to Committee on Judiciary SJ-7
04/24/96	Senate	Committee report: Favorable with amendment Judiciary SJ-21
04/25/96	Senate	Amended SJ-45
04/25/96	Senate	Read second time SJ-45
04/25/96	Senate	Ordered to third reading with notice of amendments SJ-45
05/02/96	Senate	Special order SJ-63
05/22/96	Senate	Debate interrupted SJ-129
05/23/96	Senate	Read third time and returned to House with amendments SJ-2
05/28/96	House	Point of order-Senate amendments not printed and on members' desks for 24 hours HJ-114
05/29/96	House	Debate adjourned on Senate amendments until Thursday, May 30, 1996 HJ-229
05/30/96	House	Senate amendment amended HJ-25
05/30/96	House	Returned to Senate with amendments HJ-25
05/30/96	Senate	Concurred in House amendment and enrolled
06/13/96		Ratified R 511
06/18/96		Signed By Governor
06/18/96		Effective date 06/18/96 except as may otherwise be provided in this Act
06/18/96		See act for exception to or explanation of effective date
07/03/96		Copies available
07/03/96		Act No. 424