

## Session 118 - (2009-2010)

**S\*0391 (Rat #0250, Act #0234 of 2010) General Bill, By Ryberg, McConnell, Verdin, Bryant, Cleary, Campsen, Shoopman, Campbell, Rose, Davis, Bright, S. Martin and Sheheen**

**Similar (S 1353)**

**Summary:** Department of Workforce

AN ACT TO AMEND CHAPTER 31, TITLE 41, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CONTRIBUTIONS AND PAYMENTS TO THE UNEMPLOYMENT TRUST FUND, SO AS TO PROVIDE CERTAIN DEFINITIONS, TO CHANGE THE EMPLOYER'S MINIMUM BASE RATE, TO REVISE THE METHOD OF DETERMINING THE BASE RATE OF AN EMPLOYER ELIGIBLE FOR A RATE COMPUTATION, TO IMPOSE CERTAIN SURCHARGES ON EMPLOYERS TO PAY OUTSTANDING DEBT OF UNEMPLOYMENT INSURANCE TRUST FUND IN YEARS WHEN THE FUND IS INSOLVENT, TO DELETE LANGUAGE PROVIDING A STATEWIDE RESERVE RATIO, TO DELETE THE DEFINITION OF A NONPROFIT ORGANIZATION, TO MAKE CONFORMING CHANGES REFLECTING THE CREATION OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, AND TO CORRECT ARCANE LANGUAGE, AMONG OTHER THINGS; TO AMEND SECTION 41-27-310, RELATING TO THE DEFINITION OF THE TERM "INSURED WORKER", SO AS TO INCREASE THE THRESHOLD AMOUNT OF EARNINGS A PERSON MUST HAVE TO QUALIFY AS AN INSURED WORKER, AND TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL FOUND QUALIFIED TO RECEIVE UNEMPLOYMENT BENEFITS PRIOR TO THE SECTION'S ENACTMENT; TO AMEND SECTION 41-27-380, AS AMENDED, RELATING TO THE DEFINITION OF THE TERM "WAGES", SO AS TO PROVIDE AN EXCEPTION TO THE TERM; TO AMEND SECTION 41-35-40, RELATING TO WEEKLY BENEFITS, SO AS TO INCREASE THE MINIMUM WEEKLY BENEFIT AMOUNT; BY ADDING SECTION 41-27-760 SO AS TO PROVIDE THESE CANDIDATES MAY NOT DIRECTLY OR INDIRECTLY SEEK THE PLEDGE OF A MEMBER OF THE GENERAL ASSEMBLY FOR THEIR ELECTION TO THE PANEL, AND TO PROVIDE PENALTIES FOR A VIOLATION, AMONG OTHER THINGS; TO AMEND SECTION 41-29-40, AS AMENDED, RELATING TO UNEMPLOYMENT COMPENSATION AND EMPLOYMENT SERVICE DIVISIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, SO AS TO DELETE LANGUAGE REQUIRING DIRECTORS APPOINTED TO THESE DIVISIONS MUST BE MADE ON A NONPARTISAN MERIT BASIS IN ACCORDANCE WITH CERTAIN STATUTORY PROVISIONS; BY ADDING SECTION 41-27-525 SO AS TO PROVIDE IF THE MAJORITY OF WEEKS IN A PERSON'S BASE PERIOD INCLUDES PART-TIME WORK, HE MAY NOT BE DENIED UNEMPLOYMENT BENEFITS UNDER A PROVISION RELATED TO AVAILABILITY OF WORK, ACTIVE SEARCH FOR WORK, OR FAILURE TO ACCEPT WORK SOLELY BECAUSE HE ONLY SEEKS PART-TIME WORK, AND TO DEFINE THE TERM "SEEKING ONLY PART-TIME WORK"; TO AMEND SECTION 41-27-150, AS AMENDED, RELATING TO THE DEFINITION OF THE TERM "BASE PERIOD", SO AS TO DEFINE THE TERM "ALTERNATE BASE PERIOD", AND TO PROVIDE WAGES THAT FALL WITHIN THE BASE PERIOD FOR A CLAIM ESTABLISHED UNDER THIS SECTION MUST NOT BE AVAILABLE FOR USE IN QUALIFYING FOR A SUBSEQUENT BENEFIT YEAR; TO AMEND SECTION 41-29-300, RELATING TO THE CREATION AND COMPOSITION OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, SO AS TO IMPOSE A MANDATORY RETIREMENT AGE ON MEMBERS OF THE APPELLATE PANEL; AND TO AMEND SECTION 41-35-125, AS AMENDED, SO AS TO PROVIDE CERTAIN DEFINITIONS, AND TO PROVIDE AN INDIVIDUAL IS ELIGIBLE FOR WAITING WEEK CREDIT AND UNEMPLOYMENT COMPENSATION IF THE DEPARTMENT FINDS HE WAS SEPARATED FROM EMPLOYMENT DUE TO COMPELLING FAMILY CIRCUMSTANCES. - ratified title

**02/10/09 Senate Introduced and read first time SJ-3**

**02/10/09 Senate Referred to Committee on Labor, Commerce and Industry SJ-3**

**04/14/09 Senate Committee report: Majority favorable with amend., minority unfavorable Labor, Commerce and Industry SJ-31**

**01/20/10 Senate Minority Report Removed SJ-10**

**01/20/10 Senate Motion For Special Order Failed SJ-12**

**01/26/10 Senate Special order, set for January 26, 2010 SJ-16**

**02/10/10 Senate Committee Amendment Amended SJ-23**

**02/10/10 Senate Debate interrupted SJ-23**

**02/11/10 Senate Committee Amendment Amended and Adopted SJ-18**

**02/11/10 Senate Debate interrupted SJ-18**

**02/16/10 Scrivener's error corrected**

**02/16/10 Senate Amended SJ-13**

**02/16/10 Senate Debate interrupted SJ-13**

**02/17/10 Scrivener's error corrected**

02/17/10	Senate	Amended SJ-45
02/17/10	Senate	Debate interrupted SJ-45
02/18/10	Senate	Amended SJ-19
02/18/10	Senate	Debate interrupted SJ-19
02/19/10		Scrivener's error corrected
02/23/10	Senate	Amended SJ-21
02/23/10	Senate	Debate interrupted SJ-21
02/24/10	Senate	Amended SJ-45
02/24/10	Senate	Read second time SJ-45
02/25/10	Senate	Amended SJ-69
02/25/10	Senate	Read third time and sent to House SJ-69
03/02/10	House	Introduced and read first time HJ-9
03/02/10	House	Referred to Committee on Ways and Means HJ-11
03/10/10	House	Recalled from Committee on Ways and Means HJ-75
03/11/10	House	Debate adjourned until Monday, March 15, 2010 HJ-14
03/23/10	House	Debate adjourned until Wednesday, March 24, 2010 HJ-48
03/24/10	House	Debate adjourned until Tuesday, April 13, 2010 HJ-13
03/25/10	House	Debate adjourned until Tuesday, March 30, 2010 HJ-32
04/13/10	House	Debate adjourned HJ-46
04/14/10	House	Recommitted to Committee on Ways and Means HJ-28
04/20/10	House	Committee report: Favorable with amendment Ways and Means HJ-42
04/22/10	House	Amended HJ-76
04/22/10	House	Read second time HJ-76
04/22/10	House	Unanimous consent for third reading on next legislative day HJ-80
04/23/10	House	Read third time and returned to Senate with amendments HJ-3
05/12/10	Senate	House amendment amended SJ-41
05/12/10	Senate	Returned to House with amendments SJ-41
05/20/10	House	Concurred in Senate amendment and enrolled HJ-50
05/20/10	House	Roll call Yeas-96 Nays-1 HJ-50
06/01/10		Ratified R 250
06/03/10		Signed By Governor
06/21/10		Effective date 01/01/11
06/23/10		Act No. 234