**A** **BILL**

TO AMEND SECTION 8‑11‑50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMPENSATORY TIME OFF FOR STATE EMPLOYEES REQUIRED TO WORK ON A LEGAL HOLIDAY, SO AS TO PROVIDE THAT PERMANENT FULL‑TIME STATE EMPLOYEES WHOSE REGULAR WORK SCHEDULE CONSISTS OF LONGER HOURS ON FEWER THAN FIVE DAYS WHO WORK THOSE REGULAR HOURS ON A STATE HOLIDAY OR A DAY OBSERVED AS A STATE HOLIDAY ARE ENTITLED TO COMPENSATORY TIME EQUAL TO HOURS WORKED BY THE EMPLOYEE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 8‑11‑50 of the 1976 Code is amended to read:

“Section 8‑11‑50. (A) A State employee, except employees of agencies following academic schedules, who is required to work on a legal holiday shall be given compensatory time at the convenience of the agency in which employed within ninety days of such holiday. Employees following academic schedules who are required to work on a legal holiday shall be given compensatory time at the convenience of the agency in which employed within one year from the date of the holiday. Permanent employees who do not work a normal Monday through Friday workweek shall receive no more nor any fewer number of holidays than those employees who work the normal Monday through Friday workweek. All State employees whose positions are nonexempt as defined by the Fair Labor Standards Act and who are not allowed to take compensatory leave, earned for working on a legal holiday, within the ninety‑day period or the one‑year period in the case of employees who follow academic schedules, shall be compensated for the holiday by the employing agency, at the straight hourly pay rate of the employee, no later than the second regular pay period following the last day of the time period prescribed in which compensatory time must be given. Provided, however, that the ninety day period referred to above may be extended for an additional ninety days upon a satisfactory showing to the Budget and Control Board that because of limited staffing compliance with the original ninety day limit is not feasible and upon approval of such extension by the board.

(B) Notwithstanding another provision of law or regulation, a permanent full‑time employee whose regular work schedule consists of longer hours on fewer than five days a week and who works those regular hours on a state holiday or the day observed as a state holiday pursuant to Chapter 5, Title 53, is entitled to the compensatory time provided by this section in an amount equal to the hours worked by that employee on the holiday or day the holiday was observed.”

SECTION 2. This act takes effect upon approval by the Governor.

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