Agency Name: Human Affairs Commission

Statutory Authority: 1-13-70

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House Committee: Regulations and Administrative Procedures Committee

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Subject: Employment Records to be Retained for Six Months

History: 4676

By Date Action Description Jt. Res. No. Expiration Date

- 10/28/2016 Proposed Reg Published in SR

- 01/10/2017 Received by Lt. Gov & Speaker 05/10/2017

H 01/10/2017 Referred to Committee

S 01/10/2017 Referred to Committee

H 03/07/2017 Resolution Introduced to Approve 3910

- 05/10/2017 Approved by: Expiration Date

- 05/26/2017 Effective Date unless otherwise

provided for in the Regulation

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**SOUTH CAROLINA HUMAN AFFAIRS COMMISSION**

CHAPTER 65

Statutory Authority: 1976 Code Section 1-13-70

65-22. Employment Records to be Retained for Six Months.

**Synopsis:**

Regulation 65-22 requires state agencies to retain personnel and employments records for six months, which is shorter than federally mandated requirements from retention.

Notice of Drafting for the proposed amended regulation was published in the *State Register* on September 23, 2016.

**Instructions:**

Repeal 65-22 in its entirety.

**Text:**

65-22. Repealed.

**Fiscal Impact Statement:**

No additional state funding is requested. The Agency estimates that no additional costs will be incurred by the state in complying with the proposed amendments to 65-22.

**Statement of Rationale:**

Regulation 65-22 may confuse state agencies and may lead an agency to understand that records need only be retained for a period of six months, when in fact, federal recordkeeping obligations require longer retention periods for state agencies and other employers, specifically those found in 29 C.F.R. § 1602.