INTRODUCED

May 2, 2013

**S. 675**

Introduced by Labor, Commerce and Industry Committee

S. Printed 5/2/13--S.

Read the first time May 2, 2013.

**A** **JOINT RESOLUTION**

TO APPROVE REGULATIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, RELATING TO UNEMPLOYMENT INSURANCE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4317, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

SECTION 1. The regulations of the Department of Employment and Workforce, relating to Unemployment Insurance, designated as Regulation Document Number 4317, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

SECTION 2. This joint resolution takes effect upon approval by the Governor.

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SUMMARY AS SUBMITTED

BY PROMULGATING AGENCY.

The South Carolina Department of Employment and Workforce proposes to add regulations in Article 4. Unemployment Insurance. Regulation 47‑100 and 47‑101 to is to clarify legislative changes made by the General Assembly during the 2012 session. Regulation 47‑103 is to provide guidance for waivers of non‑fraudulent or no fault overpayments under South Carolina Code Section 41‑41‑40(b)(2).

47‑100. Cause Other Than Misconduct. This regulation is being added to explain “cause other than misconduct” for the purposes of South Carolina Code Annotated Section 41‑35‑120(2)(b).

47‑101. Substandard Performance Due to Inefficiency, Inability, or Incapacity. This regulation is being added to explain “substandard performance due to inefficiency, inability, or incapacity” for the purposes of South Carolina Code Annotated Section 41‑35‑120(2)(b)

47‑103. Waiver of Non‑Fraudulent or No‑Fault Overpayments. This regulation is being added to outline the factors used when the Department determines whether to waive a non‑fraudulent/no‑fault overpayment under South Carolina Code Annotated Section 41‑41‑40(B)(2).

The Notice of Drafting regarding these regulations was published on October 26, 2012 in the *State Register*.

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