

## Session 119 - (2011-2012)

**S\*1125 (Rat #0274, Act #0247 of 2012) General Bill, By Bright, Bryant, S. Martin, Thomas, Gregory, Knotts, Campbell, Rose, Cromer, Fair, Campsen, Grooms, Peeler and Shoopman**

**Summary:** Unemployment benefits

AN ACT TO AMEND SECTION 41-35-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISQUALIFICATIONS FROM UNEMPLOYMENT BENEFITS, SO AS TO PROVIDE DISCHARGE FOR MISCONDUCT AS A BASIS FOR DISQUALIFICATION, TO SUBJECT A PERSON DISCHARGED FOR MISCONDUCT TO A PERIOD OF INELIGIBILITY FOR BENEFITS AND A SUBSEQUENT PERIOD OF REDUCED BENEFITS, TO DELETE OBSOLETE PROVISIONS RELATED TO DISCHARGE FOR CAUSE, TO SUBJECT A PERSON DISCHARGED FOR CAUSE OTHER THAN MISCONDUCT TO A PERIOD OF INELIGIBILITY FOR BENEFITS AND A SUBSEQUENT PERIOD OF REDUCED BENEFITS, AND TO PROVIDE DISCHARGE FOR CERTAIN SUBSTANDARD PERFORMANCE IS NOT A BASIS FOR DISQUALIFICATION FROM BENEFITS UNDER THIS SECTION; TO AMEND SECTION 41-35-130, AS AMENDED, RELATING TO BENEFIT PAYMENTS NOT CHARGEABLE TO A FORMER EMPLOYER, SO AS TO PROVIDE A BENEFIT PAID TO A CLAIMANT MAY NOT BE CHARGED TO AN EMPLOYER WHO IS SUBJECT TO THE PAYMENT OF CONTRIBUTIONS IF THE CLAIMANT WAS DISCHARGED BY HIS MOST RECENT BONA FIDE EMPLOYER FOR MISCONDUCT OF CLAIMANT CONNECTED TO HIS EMPLOYMENT, AND TO DEFINE TERMINOLOGY; AND TO AMEND SECTION 41-41-40, AS AMENDED, RELATING TO RECOVERY OF BENEFITS BY A PERSON NOT ENTITLED TO BENEFITS, SO AS TO PROVIDE UPON DETERMINATION BY THE DEPARTMENT OF A FRAUDULENT OVERPAYMENT, THE EMPLOYER WHOSE ACCOUNT WAS DEBITED FOR THE OVERPAYMENT MUST BE CREDITED THE AMOUNT OF THE OVERPAYMENT, SUBJECT TO CERTAIN EXCEPTIONS. - ratified title

01/24/12	Senate	Introduced and read first time (Senate Journal-page 2)
01/24/12	Senate	Referred to Committee on Labor, Commerce and Industry (Senate Journal-page 2)
02/23/12	Senate	Committee report: Favorable with amendment Labor, Commerce and Industry (Senate Journal-page 9)
03/14/12	Senate	Motion For Special Order Failed (Senate Journal-page 45)
03/14/12	Senate	Roll call Ayes-24 Nays-18 (Senate Journal-page 45)
03/21/12	Senate	Motion For Special Order Failed (Senate Journal-page 46)
03/21/12	Senate	Roll call Ayes-29 Nays-15 (Senate Journal-page 46)
03/28/12	Senate	Committee Amendment Amended and Adopted (Senate Journal-page 35)
03/28/12	Senate	Read second time (Senate Journal-page 35)
03/28/12	Senate	Roll call Ayes-40 Nays-0 (Senate Journal-page 35)
03/29/12	Senate	Read third time and sent to House (Senate Journal-page 14)
03/29/12	House	Introduced and read first time (House Journal-page 89)
03/29/12	House	Referred to Committee on Judiciary (House Journal-page 89)
03/29/12	House	Recalled from Committee on Judiciary (House Journal-page 120)
03/29/12	House	Referred to Committee on Labor, Commerce and Industry (House Journal-page 120)
03/29/12		Scrivener's error corrected
05/09/12	House	Committee report: Favorable with amendment Labor, Commerce and Industry (House Journal-page 3)
05/16/12	House	Debate adjourned until Thur., 05-17-12 (House Journal-page 15)
05/17/12	House	Debate adjourned until Wed., 05-23-12 (House Journal-page 15)
05/23/12	House	Debate adjourned until Thur., 05-24-12 (House Journal-page 26)
05/24/12	House	Requests for debate-Rep(s). Anderson, Sandifer, White, Gilliard, JR Smith, Whitmire, RL Brown, Hosey, Neilson, Johnson, Sabb, Knight, Jefferson, Williams, Forrester, Brantley, Toole (House Journal-page 17)
05/29/12	House	Amended (House Journal-page 40)
05/29/12	House	Read second time (House Journal-page 40)
05/29/12	House	Roll call Yeas-83 Nays-21 (House Journal-page 46)
05/30/12	House	Read third time and returned to Senate with amendments (House Journal-page 123)
06/07/12	Senate	House amendment amended (Senate Journal-page 156)
06/07/12	Senate	Roll call Ayes-41 Nays-1 (Senate Journal-page 156)
06/07/12	Senate	Returned to House with amendments (Senate Journal-page 156)
06/07/12	House	Concurred in Senate amendment and enrolled

06/07/12	House	Roll call Yeas-80 Nays-2 (House Journal-page 124)
06/12/12		Ratified R 274
06/18/12		Signed By Governor
06/25/12		Effective date 06/18/12
06/27/12		Act No. 247