Agency Name: Department of Employment and Workforce

Statutory Authority: 41-29-110 and 41-29-230

Document Number: 5148

Proposed in State Register Volume and Issue: 46/10

House Committee: Regulations and Administrative Procedures Committee

Senate Committee: Labor, Commerce and Industry Committee

Status: Withdrawn

Subject: Public Employment Office

History: 5148

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

- 10/28/2022 Proposed Reg Published in SR

- 01/10/2023 Received President of the Senate & Speaker 05/10/2023

S 01/10/2023 Referred to Committee

H 01/11/2023 Referred to Committee

- 04/11/2023 Agency Withdrawal

120 Day Period Tolled

- 04/11/2023 Permanently Withdrawn

Document No. 5148

**DEPARTMENT OF EMPLOYMENT AND WORKFORCE**

CHAPTER 47

Statutory Authority: 1976 Code Sections 41‑29‑110 and 41‑29‑230

47‑31. Public Employment Office.

**Synopsis:**

The Department proposes an amendment to R.47‑31, which defines and describes the term “public employment office,” to provide that a public employment office may be a virtual office, a physical office, or some combination of virtual and physical. In addition, the proposed amendment updates outdated references to the “South Carolina Employment Security Law.”

The Notice of Drafting was published in the *State Register* on August 26, 2022.

**Instructions:**

Replace R. 47-31, *Public Employment Office*, in its entirety with this amendment.

~~Indicates Matter Stricken~~

Indicates New Matter

**Text:**

47‑31. Public Employment Office.

The term “public employment office” as used in ~~the South Carolina Employment Security Law~~ Chapters 27 through 41 of Title 41 of the Code of Laws of South Carolina, 1976, as amended, with respect to the payment of benefits and as used in each rule, regulation, instruction, procedure or other matter promulgated by the Department ~~pursuant to the South Carolina Employment Security Law~~ shall be construed to mean a free public employment office operated by the state or the United States Employment Service. The public employment office may be physical, virtual, or a combination thereof.

**Fiscal Impact Statement:**

There will be no cost incurred by the State or any of its political subdivisions for these regulations.

**Statement of Rationale:**

The Department proposes updating R.47‑31, which defines the term "public employment office" as used in statutes and regulations related to the Department, to reflect modern operations and, specifically, that a public employment office may be virtual. In addition, a technical change is proposed to conform with Act No. 146 of 2010, which amended the short title for Chapters 27 through 41 of Title 41 of the Code of Laws of South Carolina, 1976, substituting “Department of Employment and Workforce” for “Employment Security Law.” The proposed amendment updates the language of R.47‑31 for consistency with the amended statute, but to ensure clarity, the reference in R.47‑31 to the “South Carolina Employment Security Law” is proposed to be replaced by “Chapters 27 through 41 of Title 41.”