**South Carolina General Assembly**

120th Session, 2013-2014

**A206, R259, H4630**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Funderburk, Pitts and Weeks

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Introduced in the House on February 6, 2014

Introduced in the Senate on March 27, 2014

Passed by the General Assembly on May 27, 2014

Governor's Action: June 2, 2014, Signed

Summary: Law enforcement certification

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/6/2014 House Introduced and read first time ([House Journal‑page 14](file:///H%3A%5CHJ%20Archive%5C2014%5C02-06-14.docx))

 2/6/2014 House Referred to Committee on **Judiciary** ([House Journal‑page 14](file:///H%3A%5CHJ%20Archive%5C2014%5C02-06-14.docx))

 3/4/2014 House Member(s) request name added as sponsor: Pitts

 3/19/2014 House Member(s) request name added as sponsor: Weeks

 3/20/2014 House Committee report: Favorable **Judiciary** ([House Journal‑page 8](file:///H%3A%5CHJ%20Archive%5C2014%5C03-20-14.docx))

 3/24/2014 Scrivener's error corrected

 3/26/2014 House Read second time

 3/26/2014 House Roll call Yeas‑105 Nays‑1

 3/27/2014 House Read third time and sent to Senate ([House Journal‑page 20](file:///H%3A%5CHJ%20Archive%5C2014%5C03-27-14.docx))

 3/27/2014 Senate Introduced and read first time ([Senate Journal‑page 9](file:///H%3A%5CSJ%20Archive%5C2014%5C03-27-14.docx))

 3/27/2014 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 9](file:///H%3A%5CSJ%20Archive%5C2014%5C03-27-14.docx))

 4/14/2014 Senate Referred to Subcommittee: Gregory (ch), McElveen, Turner

 5/21/2014 Senate Committee report: Favorable **Judiciary** ([Senate Journal‑page 19](file:///H%3A%5CSJ%20Archive%5C2014%5C05-21-14.docx))

 5/22/2014 Scrivener's error corrected

 5/22/2014 Senate Read second time ([Senate Journal‑page 63](file:///H%3A%5CSJ%20Archive%5C2014%5C05-22-14.docx))

 5/22/2014 Senate Roll call Ayes‑39 Nays‑0 ([Senate Journal‑page 63](file:///H%3A%5CSJ%20Archive%5C2014%5C05-22-14.docx))

 5/27/2014 Senate Read third time and enrolled ([Senate Journal‑page 13](file:///H%3A%5CSJ%20Archive%5C2014%5C05-27-14.docx))

 5/29/2014 Ratified R 259

 6/2/2014 Signed By Governor

 6/6/2014 Effective date See Act for Effective Date

 6/10/2014 Act No. 206

**VERSIONS OF THIS BILL**

[2/6/2014](file:///p%3A%5Cpprever%5C2013-14%5C4630_20140206.docx)

[3/20/2014](file:///p%3A%5Cpprever%5C2013-14%5C4630_20140320.docx)

[3/24/2014](file:///p%3A%5Cpprever%5C2013-14%5C4630_20140324.docx)

[5/21/2014](file:///p%3A%5Cpprever%5C2013-14%5C4630_20140521.docx)

[5/22/2014](file:///p%3A%5Cpprever%5C2013-14%5C4630_20140522.docx)

(A206, R259, H4630)

**AN ACT TO AMEND SECTION 23‑23‑60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXPIRATION OR LAPSE OF THE LAW ENFORCEMENT CERTIFICATION OF AN OFFICER UPON HIS DISCONTINUANCE OF EMPLOYMENT, SO AS TO PROVIDE AN EXEMPTION WHEN THE EMPLOYMENT IS DISCONTINUED BECAUSE OF HIS ABSENCE FROM WORK DUE TO A DISABILITY HE SUSTAINED IN THAT EMPLOYMENT FOR WHICH HE RECEIVES WORKERS’ COMPENSATION BENEFITS AND FROM WHICH HE HAS NOT BEEN AUTHORIZED TO RETURN TO WORK WITHOUT RESTRICTION TO REQUIRE HE SATISFY CONTINUING EDUCATION REQUIREMENTS OF THIS PERIOD; AND TO MAKE THESE PROVISIONS RETROACTIVE TO JANUARY 1, 2013.**

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

**Expiration for work discontinuance, workers**’ **compensation exception**

SECTION 1. Section 23‑23‑60(C) of the 1976 Code, as added by Act 317 of 2006, is amended to read:

 “(C)(1) A certificate as a law enforcement officer issued by the department will expire three years from the date of issuance or upon discontinuance of employment by the officer with the employing entity or agency.

 (2) Notwithstanding the provisions of item (1), a certificate may not expire if employment is discontinued because of the officer’s absence from work due to a disability he sustained in that employment for which he receives workers’ compensation benefits and from which he has not been authorized to return to work without restriction; provided, however, that before he may resume employment for which the certificate is required, he must complete all continuing education requirements for the period of time in which he was receiving workers’ compensation benefits and had not been authorized to return to work. Additionally, the three‑year duration of a certificate is tolled during such an absence from employment, and begins running when the officer is authorized to return to work without restriction.

 (3) Prior to the expiration of the certificate, the certificate may be renewed upon application presented to the director on a form prescribed by the director. The application for renewal must be received by the director at least forty‑five days prior to the expiration of the certificate.

 (4) If the officer’s certificate has lapsed, the department may reissue the certificate after receipt of an application and if the director is satisfied that the officer continues to meet the requirements of subsections (B)(1) through (B)(9).”

**Time effective**

SECTION 2. The provisions of this act take place upon approval by the Governor and are retroactive to January 1, 2013.

Ratified the 29th day of May, 2014.

Approved the 2nd day of June, 2014.

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