~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

April 3, 2014

**S. 1084**

Introduced by Senators Nicholson, Scott, Williams, Hutto, Cromer, Campbell, O’Dell, Reese, Lourie, Coleman, Kimpson and Sheheen

S. Printed 4/3/14--S.

Read the first time March 5, 2014.

**THE COMMITTEE ON MEDICAL AFFAIRS**

To whom was referred a Bill (S. 1084) to amend Sections 44‑29‑150 and 44‑29‑160, Code of Laws of South Carolina, 1976, both relating to persons applying for employment in schools, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Sections 44-29-150 and 44-29-160 of the 1976 Code are amended to read:

"Section 44-29-150. ~~No person will be~~ An individual must not be initially hired or enter into a full time contract to work in any public or private school, kindergarten, nursery or ~~day care center~~ childcare facility for infants and children until appropriately evaluated for tuberculosis according to guidelines approved by the Board of Health and Environmental Control. ~~Re‑evaluation will not be required for employment in consecutive years unless otherwise indicated by such guidelines.~~ Public or private schools, kindergartens, nurseries or childcare facilities shall require employees or full time contracted workers to be reevaluated for tuberculosis every five years. These evaluations shall be kept on file with the custodian of records. As a condition of continued employment, any employee or contracted worker testing positive for tuberculosis, shall secure a health certificate from a licensed physician certifying that such person does not have tuberculosis in an active stage.

Section 44-29-160. ~~Any person~~ An individual applying for a position in ~~any of~~ the public or private schools, kindergartens, nurseries, or ~~day care centers~~ childcare facilities for infants and children of the State shall, as a prerequisite to employment, secure a health certificate from a licensed physician certifying that such person does not have tuberculosis in an active stage."

SECTION 2. This act takes effect upon approval by the Governor, and beginning with the 2014-2015 school year, applies to individuals applying for employment, to all existing employees, and to employees returning to employment in consecutive years in public or private schools, kindergartens, nurseries, or childcare facilities for infants and children of the State. Provided that all existing employees and employees returning to employment in consecutive years who possess a health certificate dated within five years prior to the effective date of this act from a licensed physician certifying that such person does not have tuberculosis in an active state are exempt from the requirement to be tested prior to the 2014-2015 school year. /

Renumber sections to conform.

Amend title to conform.

HARVEY S. PEELER, JR. for Committee.

**A** **BILL**

TO AMEND SECTIONS 44‑29‑150 AND 44‑29‑160, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO PERSONS APPLYING FOR EMPLOYMENT IN SCHOOLS, KINDERGARTENS, NURSERY OR DAYCARE CENTERS TO BE TESTED FOR AND FREE FROM ACTIVE TUBERCULOSIS AND PROVIDING THAT RETESTING OF CONSECUTIVELY RETURNING EMPLOYEES IS NOT REQUIRED, SO AS TO REQUIRE INDIVIDUALS RETURNING TO EMPLOYMENT IN CONSECUTIVE YEARS IN THESE SETTINGS TO BE TESTED AND FREE FROM TUBERCULOSIS IN AN ACTIVE STAGE.

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

SECTION 1. Sections 44‑29‑150 and 44‑29‑160 of the 1976 Code are amended to read:

“Section 44‑29‑150. ~~No person will be~~ An individual must not be initially hired to work in any public or private school, kindergarten, nursery, or ~~day care~~ childcare center for infants and children until ~~appropriately~~ the individual is evaluated for tuberculosis according to guidelines approved by the Board of Health and Environmental Control. ~~Re‑evaluation will not be~~ Reevaluation is required for ~~employment~~ individuals returning to employment in consecutive years unless otherwise indicated by ~~such~~ these guidelines.

Section 44‑29‑160. ~~Any person~~ An individual applying for a position or returning to a position in consecutive years in ~~any of~~ the public or private schools, kindergartens, nurseries, or ~~day care~~ childcare centers for infants and children of the State shall, as a prerequisite to employment and returning to employment in consecutive years, secure a health certificate from a licensed physician certifying that ~~such person~~ the individual does not have tuberculosis in an active stage.”

SECTION 2. This act takes effect upon approval by the Governor, and beginning with the 2014-2015 school year, applies to individuals applying for employment, to all existing employees, and to employees returning to employment in consecutive years in public or private schools, kindergartens, nurseries, or childcare centers for infants, and children of the State.

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