**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41‑31‑15 SO AS TO PROVIDE EACH PERSON EMPLOYED IN THIS STATE SHALL CONTRIBUTE A PORTION OF HIS WAGES TO THE STATE UNEMPLOYMENT TRUST FUND, TO REQUIRE AN EMPLOYER TO WITHHOLD THESE CONTRIBUTIONS AND TRANSMIT THEM TO THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, TO PROVIDE AN EMPLOYER SHALL MAINTAIN A SEPARATE RECORD OF THE CONTRIBUTION OF EACH EMPLOYEE AND REPORT THE AMOUNT WITHHELD TO THE EMPLOYEE AT LEAST ANNUALLY, TO PROVIDE THE DEPARTMENT SHALL ALLOCATE AN EMPLOYEE CONTRIBUTION IT RECEIVES TO THE UNEMPLOYMENT TRUST FUND ACCOUNT OF THE EMPLOYER TO OFFSET THE CONTRIBUTION REQUIRED OF THE EMPLOYER, TO PROVIDE PENALTIES FOR A VIOLATION, AND TO PROVIDE THIS SECTION DOES NOT AFFECT OR IMPAIR ANOTHER LAW ENABLING THE STATE TO IMPOSE AN EMPLOYMENT TAX OR SIMILAR TAX; AND TO AMEND SECTION 41‑27‑200, RELATING TO A RELATED DEFINITION, SO AS TO MAKE A CONFORMING CHANGE AND CORRECT AN OBSOLETE REFERENCE.

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

SECTION 1. Article 1, Chapter 31, Title 41 of the 1976 Code is amended by adding:

“Section 41‑31‑15. (A) Each employee shall pay contributions to the Unemployment Trust Fund at a rate of three‑tenths of one percent for all wages paid for employment.

(B) Each employer subject to this chapter shall withhold in trust contributions from the wages of his employees required under subsection (A) at the time the wages are paid, and shall report and transmit these deductions to the department for deposit into the Unemployment Trust Fund. The employer also shall maintain a separate record of the contributions of each employee and report this amount to the employee at least annually.

(C) The department shall allocate contributions paid under this section to the separate account of the employer from whom it received the transmitted employee contribution. Funds allocated to the separate account of an employer must be used to offset the contribution required of the employer under this chapter.

(D) An employee or his agent who violates the provisions of this section is subject to the general penalty provided in Section 41‑41‑50.”

SECTION 2. Section 41‑27‑200 of the 1976 Code is amended to read:

“Section 41‑27‑200. ‘Contributions’ means the money payment required by ~~Chapter 31, Article 1~~ Article 1, Chapter 31 to be made into the ~~State~~ Unemployment ~~compensation~~ Trust Fund by an employer or employee.”

SECTION 3. This act takes effect January 1, 2014.

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