~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

April 18, 2018

**H. 5153**

Introduced by Rep. Delleney

S. Printed 4/18/18--S.

Read the first time March 27, 2018.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 5153) to amend Section 42‑17‑20, Code of Laws of South Carolina, 1976, relating to certain Workers’ Compensation Commission hearings concerning compensation payable, so as to provide, etc., respectfully

**REPORT:**

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

LUKE A. RANKIN for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**Amended by the House of Representatives on March 22, 2018**

**State Expenditure**

This bill requires a Worker’s Compensation Commission hearing to be in the district in which the injury occurred, but no greater than seventy-five miles from the county seat of the county in which the injury occurred. This bill updates the laws to reflect the current practices of the Worker’s Compensation Commission. Additionally, there is at least one venue available within each district that is within seventy-five miles of each county’s seat. Therefore, there would be no expenditure impact on the general fund, other funds, or federal funds.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 42‑17‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN WORKERS’ COMPENSATION COMMISSION HEARINGS CONCERNING COMPENSATION PAYABLE, SO AS TO PROVIDE THESE HEARINGS MUST BE HELD IN THE DISTRICTS IN WHICH THE INJURIES OCCURRED INSTEAD OF THE CITIES OR COUNTIES IN WHICH THE INJURIES OCCURRED, AND TO PROVIDE THESE DISTRICTS MUST BE DETERMINED BY THE COMMISSION.

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

SECTION 1. Section 42‑17‑20 of the 1976 Code is amended to read:

“Section 42‑17‑20. If the employer and the injured employee or his dependents fail to reach an agreement in regard to compensation under this title within fourteen days after the employer has knowledge of the injury or after a death or if they have reached such an agreement which has been signed and filed with the commission and compensation has been paid or is due in accordance therewith and the parties thereto then disagree as to the continuance of any weekly payment under such agreement, either party may make application to the commission for a hearing in regard to the matters at issue and for a ruling thereon. Immediately after such application has been received the commission shall set a date for a hearing, which shall be held as soon as practicable, and shall notify the parties at issue of the time and place of such hearing. The hearing shall be held in the ~~city or county~~ district in which the injury occurred, but no greater than seventy‑five miles from the county seat of the county in which the injury occurred, unless otherwise agreed to by the parties and authorized by the commission. These districts are defined as those districts designated by the commission and in effect as of January 1, 2018.”

SECTION 2. This act takes effect upon approval by the Governor.

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