**South Carolina General Assembly**

124th Session, 2021-2022

**H. 5032**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Nutt, Allison, Chumley, Long, Magnuson, T. Moore and B. Cox

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Introduced in the House on February 24, 2022

Currently residing in the House Committee on **Ways and Means**

Summary: Tax rate class

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/24/2022 House Introduced and read first time ([House Journal‑page 23](file:///h:\hj\20220224.docx))

2/24/2022 House Referred to Committee on **Ways and Means** ([House Journal‑page 23](file:///h:\hj\20220224.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=5032&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/24/2022](file:///p:\pprever\2021-22\5032_20220224.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41‑31‑65 SO AS TO ALLOW THE DEPARTMENT TO PROVIDE A ONE‑TIME WAIVER, DISMISSAL, REDUCTION IN PENALTY, OR REDUCTION IN TAX RATE CLASS; AND TO AMEND SECTION 41‑31‑60, RELATING TO THE UNEMPLOYMENT TAX RATE, SO AS TO MAKE IT PERMISSIVE TO ASSIGN THE TAX CLASS TWENTY RATE AND TO SET A TIME LIMIT FOR THE RATE.

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 41‑31‑65. Notwithstanding another provision of law, the department may provide a one‑time waiver, dismissal, or reduction of penalties or a one‑time reduction of the tax rate class assigned, as provided in this chapter.”

SECTION 2. Section 41‑31‑60 of the 1976 Code is amended to read:

“Section 41‑31‑60. (A) If on the computation date upon which an employer’s tax rate is to be computed as provided in Section 41‑31‑40 there is a delinquent report, the tax class twenty rate ~~must~~ may be assigned to the employer for the period to which the computation applies until the next computation date or until such time as all outstanding tax reports have been filed.

(B) No employer is permitted to pay his unemployment compensation tax at a reduced tax rate class for any quarter when a tax execution issued in accordance with Section 41‑31‑390 with respect to delinquent unemployment compensation tax for a previous quarter is unpaid and outstanding against the employer. If on the computation date upon which an employer’s tax rate is computed as provided in Section 41‑31‑40 there is an outstanding tax execution, the tax class twenty rate ~~must~~ may be assigned to the employer until the next computation date or until such time as all outstanding tax executions have been paid.”

SECTION 3. This act takes effect upon approval by the Governor.

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