**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4372**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. G.M. Smith, West, Davis, Guest, Forrest, Hewitt, M.M. Smith, Long, B. Newton, Thayer, Hager, Leber, Mitchell, Brittain, Gatch and Hixon

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Introduced in the House on April 26, 2023

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Maximum potential employment benefits

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/26/2023 House Introduced and read first time ([House Journal‑page 14](h:\hj\20230426.docx))

4/26/2023 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 14](h:\hj\20230426.docx))

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=4372&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[04/26/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4372_20230426.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41‑35‑50, RELATING TO MAXIMUM UNEMPLOYMENT INSURANCE BENEFITS ALLOWED, SO AS TO SET THE DURATION OF UNEMPLOYMENT BENEFITS BASED ON SEASONAL ADJUSTED STATEWIDE UNEMPLOYMENT RATES.

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

SECTION 1. Section 41‑35‑50 of the S.C. Code is amended to read:

Section 41‑35‑50. The maximum potential benefits of any insured worker in a benefit year are the lesser of:

(1) twenty times his weekly benefit amount;

(2) one‑third of his wages for insured work paid during his base period.

If the resulting amount is not a multiple of one dollar, the amount must be reduced to the next lower multiple of one dollar, except that no insured worker may receive benefits in a benefit year unless, subsequent to the beginning of the next preceding benefit year during which he received benefits, he performed “insured work” as defined in Section 41‑27‑300 and earned wages in the employ of a single employer in an amount equal to not less than eight times the weekly benefit amount established for the individual in the preceding benefit year.

(A) The number of weeks an individual is allowed to receive unemployment benefits depends on the seasonal adjusted statewide unemployment rate that applies to the six‑month base period in which the claim is filed. One six‑month base period begins on January first and one six‑month base period begins on July first. For the base period that begins January first, the average of the seasonal adjusted unemployment rates for the State for the preceding months of July, August, and September applies. For the base period that begins July first, the average of the seasonal adjusted unemployment rates for the State for the preceding months of January, February, and March apply. The Department of Employment and Workforce must use the most recent seasonal adjusted unemployment rate determined by the U.S. Department of Labor, Bureau of Labor Statistics, and not the rate as revised in the annual benchmark.

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| --- | --- | --- |
| 39 | Seasonal Adjusted Unemployment Rate | Number of Weeks |
| 40 | Less than or equal to 5.50025 | 12 weeks |

|  |  |  |
| --- | --- | --- |
| 1 | Greater than 5.5% up to 6% | 13 weeks |
| 2 | Greater than 6% up to 6.5% | 14 weeks |
| 3 | Greater than 6.5% up to 7% | 15 weeks |
| 4 | Greater than 7% up to 7.5% | 16 weeks |
| 5 | Greater than 7.5% up to 8% | 17 weeks |
| 6 | Greater than 8% up to 8.5% | 18 weeks |
| 7 | Greater than 8.5% up to 9% | 19 weeks |
| 8 | Greater than 9% | 20 weeks |

(B) The total benefits paid to an individual equals the individual's weekly benefit amount allowed under Section 41‑35‑40 multiplied by the number of weeks allowed under subsection (A).

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

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