**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3645**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Bernstein, Herbkersman, Pope, Stavrinakis, Ballentine, Caskey, Collins, Wetmore, Bauer, Rutherford, Cobb-Hunter, Spann-Wilder, W. Newton, Schuessler, Dillard, Kirby, Weeks, Waters, B. Newton, Henderson-Myers, Govan, Gilliard, Rivers, Anderson, Garvin, King and McDaniel

Companion/Similar bill(s): 10, 3490

Document Path: LC-0091DG25.docx

Introduced in the House on January 14, 2025

Introduced in the Senate on April 30, 2025

Last Amended on April 29, 2025

Currently residing in the Senate Committee on **Finance**

Summary: Paid family leave

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/12/2024 House Prefiled

 12/12/2024 House Referred to Committee on **Ways and Means**

 1/14/2025 House Introduced and read first time (House Journal‑page 279)

 1/14/2025 House Referred to Committee on **Ways and Means** (House Journal‑page 279)

 3/5/2025 House Member(s) request name added as sponsor: Schuessler

 4/1/2025 House Member(s) request name added as sponsor: Dillard,
 Kirby

 4/3/2025 House Member(s) request name added as sponsor: Weeks

 4/9/2025 House Committee report: Favorable with amendment **Ways and Means**

 4/10/2025 House Member(s) request name added as sponsor: Waters,
 B. Newton

 4/14/2025 Scrivener's error corrected

 4/22/2025 House Member(s) request name added as sponsor:
 Henderson-Myers

 4/23/2025 House Debate adjourned until Tues., 4-29-25 (House Journal‑page 11)

 4/29/2025 House Member(s) request name added as sponsor: Govan,
 Gilliard, Rivers, Anderson, Garvin, King,
 McDaniel

 4/29/2025 House Amended (House Journal‑page 20)

 4/29/2025 House Read second time (House Journal‑page 20)

 4/29/2025 House Roll call Yeas-80 Nays-31 (House Journal‑page 23)

 4/30/2025 House Read third time and sent to Senate

 4/30/2025 House Roll call Yeas-86 Nays-18

 4/30/2025 Senate Introduced and read first time

 4/30/2025 Senate Referred to Committee on **Finance**

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3645&session=126&summary=B)  at the website

**VERSIONS OF THIS BILL**

[12/12/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3645_20241212.docx)

[04/09/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/3645_20250409.docx)

[04/14/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/3645_20250414.docx)

[04/29/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/3645_20250429.docx)

Indicates Matter Stricken

Indicates New Matter

Amended

April 29, 2025

H. 3645

Introduced by Reps. Bernstein, Herbkersman, Pope, Stavrinakis, Ballentine, Caskey, Collins, Wetmore, Bauer, Rutherford, Cobb-Hunter, Spann-Wilder, W. Newton, Schuessler, Dillard, Kirby, Weeks, Waters, B. Newton, Henderson-Myers, Govan, Gilliard, Rivers, Anderson, Garvin, King and McDaniel

S. Printed 4/29/25--H.

Read the first time January 14, 2025

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 8-11-150 AND 8-11-155, BOTH RELATING TO PAID PARENTAL LEAVE, SO AS TO INCREASE THE NUMBER OF WEEKS OF PAID PARENTAL LEAVE IN THE EVENT OF THE BIRTH OR ADOPTION OF A CHILD FOR ELIGIBLE STATE EMPLOYEES.

 Amend Title To Conform

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

SECTION 1. Section 8-11-150 of the S.C. Code is amended to read:

 Section 8-11-150. (A) For the purposes of this section:

 (1) “Child” means a newborn biological child or foster of a child in state custody and under the age of eighteen. No child can have more than two parents eligible for paid parental leave.

 (2) “Eligible state employee” means an employee occupying any percentage of a full-time equivalent position any person employed by any department, institution, commission, board, or any other unit of government of this State who occupies a position eligible to earn annual leave. This includes any person employed by a four-year or postgraduate institution of higher education under the control of the State or a technical college supported by and under the control of the State who occupies a fulltime equivalent, temporary grant or time limited position.

 (3) “Paid parental leave” means sixtwelve weeks of paid leave at one hundred percent of the eligible state employee’s base pay or twofour weeks of paid leave at one hundred percent of the eligible state employee’s base pay. Leave for part-time eligible state employees must be on a prorated basis corresponding to the percentage of hours they are normally scheduled to work.

 (4) “Qualifying event” means the birth of a newborn biological child to an eligible state employee or after a co-parent’s birth of a newborn child or fostering a child in state custody.

 (B) Eligible state employees who are employed by this State, its departments, agencies, or institutions and who give birth are entitled to receive sixtwelve weeks of paid parental leave. Other eligible state employees who do not give birth are entitled to receive twofour weeks of paid parental leave. An employee’s paid parental leave is based on an employee’s average workday.

 (C) Paid parental leave usage includes the following:

 (1) The entitlement to leave pursuant to subsection (B) expires at the end of the twelve-month period beginning on the date of such birth or initial legal placement. An eligible state employee shall receive no more than one occurrence of sixtwelve or twofour weeks of paid parental leave for any twelve-month period, even if more than one qualifying event occurs. However, nothing in this item prohibits a foster parent from requesting and receiving approval for parental leave in nonconsecutive one-week time periods.

 (2) If the leave is not used by the eligible state employee before the end of the twelve-month period after the qualifying event, such leave does not accumulate for subsequent use. Paid parental leave may not be donated. Any leave remaining at the end of the twelve-month period or at separation of employment is forfeited.

 (3) Days of paid parental leave taken under this section must be taken consecutively, except that foster parents may request and receive approval for parental leave in nonconsecutive one-week time periods.

 (4) If both parents are eligible state employees, paid parental leave may be taken concurrently, consecutively, or a different time as the other eligible state employee.

 (5) Legal holidays listed in Section 53-5-10 must not be counted against paid parental leave.

 (6) Paid parental leave must run concurrently with leave taken pursuant to the Family and Medical Leave Act and any other unpaid leave to which the eligible state employee may be entitled as a result of the qualifying event. However, leave granted under this section is with pay and is not annual leave or sick leave and therefore does not deduct from the eligible state employee’s accrued leave balance. An eligible state employee does not have to exhaust all other forms of leave before being eligible to take leave granted under this section. However, an employer may require that an employee use paid parental leave before using annual leave if the employee’s leave is taken pursuant to the Family and Medical Leave Act. Eligible state employees shall accrue annual and sick leave at the normal rate while on this leave, if applicable.

 (D) The Division of Human Resources of the Department of Administration shall promulgate regulations, guidance, and procedures to implement this section.

SECTION 2. Section 8-11-155 of the S.C. Code is amended to read:

 Section 8-11-155. (A) For the purposes of this section:

 (1) “Child” means a child initially legally placed for adoption and under the age of eighteen. No child can have more than two parents eligible for paid parental leave.

 (2) “Eligible state employee” means an employee occupying any percentage of a full-time equivalent positionany person employed by any department, institution, commission, board, or any other unit of government of this State who occupies a position eligible to earn annual leave. This includes any person employed by a four-year or postgraduate institution of higher education under the control of the State or a technical college supported by and under the control of the State who occupies a position eligible to earn annual leave.

 (3) “Paid parental leave” means sixtwelve weeks of paid leave at one hundred percent of the eligible state employee’s base pay or twofour weeks of paid leave at one hundred percent of the eligible state employee’s base pay. Leave for part-time eligible state employees must be on a prorated basis corresponding to the percentage of hours they are normally scheduled to work.

 (4) “Qualifying event” means the initial legal placement of a child by adoption.

 (B) Eligible state employees, who are employed by this State, its departments, agencies, or institutions and are primarily responsible for furnishing the care and nurture of the child, are entitled to sixtwelve weeks of paid parental leave upon the occurrence of a qualifying event. Eligible state employees, who are employed by this State, its departments, agencies, or institutions who are not primarily responsible for furnishing the care and nurture of the child, are entitled to twofour weeks of paid parental leave upon the occurrence of a qualifying event. An employee’s paid parental leave is based on an employee’s average workday.

 (C) Paid parental leave usage includes the following:

 (1) The entitlement to leave pursuant to subsection (B) expires at the end of the twelve-month period beginning on the date of initial legal placement. An eligible state employee shall receive no more than one occurrence of sixtwelve or twofour weeks of paid parental leave for any twelve-month period, even if more than one qualifying event occurs.

 (2) If the leave is not used by the eligible state employee before the end of the twelve-month period after the qualifying event, such leave does not accumulate for subsequent use. Paid parental leave may not be donated. Any leave remaining at the end of the twelve-month period or at separation of employment is forfeited.

 (3) Days of paid parental leave taken under this section must be taken consecutively.

 (4) If both parents are eligible state employees, paid parental leave may be taken concurrently, consecutively, or a different time as the other eligible state employee.

 (5) Legal holidays listed in Section 53-5-10 must not be counted against paid parental leave.

 (6) Paid parental leave must run concurrently with leave taken pursuant to the Family and Medical Leave Act and any other unpaid leave to which the eligible state employee may be entitled as a result of the qualifying event. However, leave granted under this section is with pay and is not annual leave or sick leave and therefore does not deduct from the eligible state employee’s accrued leave balance. An eligible state employee does not have to exhaust all other forms of leave before being eligible to take leave granted under this section. However, an employer may require that an employee use paid parental leave before using annual leave if the employee’s leave is taken pursuant to the Family and Medical Leave Act. Eligible state employees shall accrue annual and sick leave at the normal rate while on this leave, if applicable.

 (D) The Division of Human Resources of the Department of Administration shall promulgate regulations, guidance, and procedures to implement this section.

SECTION 3. This act takes effect October 1, 2025, and applies to qualifying events thereon or thereafter..

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