**South Carolina General Assembly**

119th Session, 2011-2012

**S. 532**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Peeler

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Companion/Similar bill(s): 4043

Introduced in the Senate on February 9, 2011

Currently residing in the Senate

Summary: Department of Employment and Workforce

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/9/2011 Senate Introduced and read first time ([Senate Journal‑page 8](file:///h:\sj%20archive\2011\02-09-11.docx))

2/9/2011 Senate Referred to Committee on **Labor, Commerce and Industry** ([Senate Journal‑page 8](file:///h:\sj%20archive\2011\02-09-11.docx))

6/1/2011 Senate Polled out of committee **Labor, Commerce and Industry** ([Senate Journal‑page 10](file:///h:\sj%20archive\2011\06-01-11.docx))

6/1/2011 Senate Committee report: Favorable **Labor, Commerce and Industry** ([Senate Journal‑page 10](file:///h:\sj%20archive\2011\06-01-11.docx))

**VERSIONS OF THIS BILL**

[2/9/2011](file:///p:\pprever\2011-12\532_20110209.docx)

[6/1/2011](file:///p:\pprever\2011-12\532_20110601.docx)

POLLED OUT OF COMMITTEE

MAJORITY FAVORABLE

June 1, 2011

**S. 532**

Introduced by Senator Peeler

S. Printed 6/1/11--S.

Read the first time February 9, 2011.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41‑35‑122 SO AS TO PROVIDE THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE SHALL SUSPEND THE BENEFITS OF A PERSON WHO, WHILE RECEIVING BENEFITS, FAILS A DRUG TEST TAKEN AS A CONDITION OF AN APPLICATION FOR EMPLOYMENT, TO PROVIDE THE DEPARTMENT MAY NOT RESTORE THESE SUSPENDED BENEFITS UNTIL THE PERSON HAS SUCCESSFULLY COMPLETED A CERTAIN DRUG TREATMENT PROGRAM AND PASSED A DRUG TEST, TO PROVIDE THE DEPARTMENT MAY NOT PROVIDE OR RESTORE RETROACTIVELY A BENEFIT TO A PERSON FOR A PERIOD IN WHICH HIS BENEFITS ARE SUSPENDED UNDER THIS SECTION, AND TO DEFINE A “DRUG TEST”.

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

SECTION 1. Article 1, Chapter 35, Title 41 of the 1976 Code is amended by adding:

“Section 41‑35‑122. (A) The department shall suspend the benefits of a person who, while receiving benefits, fails a drug test taken as a condition of an application for employment, and may not restore these suspended benefits until the person:

(1) successfully completes an outpatient drug treatment program provided by the Department of Alcohol and Other Drug Abuse Services; and

(2) passes a drug test. The cost of this drug test may not be paid by the department and must be paid by the person seeking restoration of benefits.

(B) The department may not provide or restore retroactively a benefit to a person for a period in which his benefits are suspended pursuant to subsection (A).

(C) For the purposes of this section, ‘drug test’ means a test for the legal drugs used unlawfully performed by a laboratory certified by the National Institute on Drug Abuse, the College of American Pathologists, or the State Law Enforcement Division.”

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

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