~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

May 15, 2014

**S. 1084**

Introduced by Senators Nicholson, Scott, Williams, Hutto, Cromer, Campbell, O’Dell, Reese, Lourie, Coleman, Kimpson and Sheheen

S. Printed 5/15/14--H.

Read the first time April 10, 2014.

**THE COMMITTEE ON MEDICAL,**

**MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

To whom was referred a Bill (S. 1084) to amend Sections 44‑29‑150 and 44‑29‑160, Code of Laws of South Carolina, 1976, both relating to persons applying for employment in schools, etc., respectfully

**REPORT:**

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

LEON HOWARD for Committee.

**A** **BILL**

TO AMEND SECTIONS 44‑29‑150 AND 44‑29‑160, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO PERSONS APPLYING FOR EMPLOYMENT IN SCHOOLS, KINDERGARTENS, NURSERY, OR DAYCARE CENTERS TO BE TESTED FOR AND FREE FROM ACTIVE TUBERCULOSIS AND PROVIDING THAT RETESTING OF CONSECUTIVELY RETURNING EMPLOYEES IS NOT REQUIRED, SO AS TO REQUIRE INDIVIDUALS RETURNING TO EMPLOYMENT IN CONSECUTIVE YEARS IN THESE SETTINGS TO BE TESTED AND FREE FROM TUBERCULOSIS IN AN ACTIVE STAGE.

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

SECTION 1. Sections 44-29-150 and 44-29-160 of the 1976 Code are amended to read:

"Section 44-29-150. ~~No person will be~~ An individual must not be initially hired or enter into a full time contract to work in any public or private school, kindergarten, nursery, or ~~day care center~~ childcare facility for infants and children until appropriately evaluated for tuberculosis according to guidelines approved by the Board of Health and Environmental Control. ~~Re‑evaluation will not be required for employment in consecutive years unless otherwise indicated by such guidelines.~~ Public or private schools, kindergartens, nurseries, or childcare facilities shall require employees or full time contracted workers to be reevaluated for tuberculosis every five years. These evaluations shall be kept on file with the custodian of records. As a condition of continued employment, any employee or contracted worker testing positive for tuberculosis, shall secure a health certificate from a licensed physician certifying that such person does not have tuberculosis in an active stage.

Section 44-29-160. ~~Any person~~ An individual applying for a position in ~~any of~~ the public or private schools, kindergartens, nurseries, or ~~day care centers~~ childcare facilities for infants and children of the State shall, as a prerequisite to employment, secure a health certificate from a licensed physician certifying that such person does not have tuberculosis in an active stage."

SECTION 2. This act takes effect upon approval by the Governor, and beginning with the 2014-2015 school year applies to individuals applying for employment. Provided that all existing employees, and employees returning to employment in consecutive years in public or private schools, kindergartens, nurseries, or childcare facilities for infants and children of the State have until the beginning of the 2015-2016 school year to be appropriately evaluated for tuberculosis. And further provided that all existing employees and employees returning to employment in consecutive years who possess a health certificate dated within five years prior to the effective date of this act from a licensed physician certifying that such person does not have tuberculosis in an active state are exempt from the requirement to be tested prior to the 2014-2015 school year.

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