~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

February 27, 2014

**S. 826**

Introduced by Senator Rankin

S. Printed 2/27/14--S.

Read the first time January 14, 2014.

**THE COMMITTEE ON BANKING AND INSURANCE**

To whom was referred a Bill (S. 826) to amend Section 38-73-500(C) of the 1976 Code, relating to random drug and alcohol testing procedures concerning merit rating for worker’s compensation insurance, etc., respectfully

**REPORT:**

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

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Section 38-73-500(C) of the 1976 Code is amended to read:

“(C) The testing procedure established by the insurer, employer, or his designee, or, approved by the director, must include a provision for random sampling of all persons who receive wages and compensation in any form from the employer ~~and must provide for a second test to be administered within thirty minutes of the administration of the first test~~. If a second test is administered, the testing procedure may allow for a single sample to be split for use in the first and second tests. Positive test results must be provided in writing to the employee within twenty‑four hours of the time the employer receives the test results. Each employer must keep records of each test for up to one year.” /

Renumber sections to conform.

Amend title to conform.

ROBERT W. HAYES, JR. for Committee.

**A** **BILL**

TO AMEND SECTION 38-73-500(C) OF THE 1976 CODE, RELATING TO RANDOM DRUG AND ALCOHOL TESTING PROCEDURES CONCERNING MERIT RATING FOR WORKER’S COMPENSATION INSURANCE; TO PROVIDE THAT A SINGLE SAMPLE MAY BE USED FOR THE FIRST AND SECOND TESTS IF A SECOND TEST IS ADMINISTERED.

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

SECTION 1. Section 38-73-500(C) of the 1976 Code is amended to read:

“(C) The testing procedure established by the insurer, employer, or his designee, or, approved by the director, must include a provision for random sampling of all persons who receive wages and compensation in any form from the employer and must provide for a second test to be administered within thirty minutes of the administration of the first test. If a second test is administered, the testing procedure may allow for a single sample to be split for use in the first and second tests. Positive test results must be provided in writing to the employee within twenty‑four hours of the time the employer receives the test results. Each employer must keep records of each test for up to one year.”

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

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