**South Carolina General Assembly**

121st Session, 2015-2016

**A80, R118, H3305**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Lowe, Bingham, Horne, Weeks and Bradley

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Introduced in the House on January 13, 2015

Introduced in the Senate on March 10, 2015

Last Amended on March 5, 2015

Passed by the General Assembly on June 4, 2015

Governor's Action: June 11, 2015, Signed

Summary: Unemployment benefits

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/13/2015 House Introduced and read first time ([House Journal‑page 179](file:///h%3A%5CHJ%20Archive%5C2015%5C01-13-15.docx))

 1/13/2015 House Referred to Committee on **Judiciary** ([House Journal‑page 179](file:///h%3A%5CHJ%20Archive%5C2015%5C01-13-15.docx))

 3/4/2015 House Member(s) request name added as sponsor: Weeks

 3/4/2015 House Committee report: Favorable with amendment **Judiciary** ([House Journal‑page 32](file:///h%3A%5CHJ%20Archive%5C2015%5C03-04-15.docx))

 3/5/2015 House Member(s) request name added as sponsor: Bradley

 3/5/2015 House Amended ([House Journal‑page 43](file:///h%3A%5CHJ%20Archive%5C2015%5C03-05-15.docx))

 3/5/2015 House Read second time ([House Journal‑page 43](file:///h%3A%5CHJ%20Archive%5C2015%5C03-05-15.docx))

 3/5/2015 House Roll call Yeas‑106 Nays‑2 ([House Journal‑page 44](file:///h%3A%5CHJ%20Archive%5C2015%5C03-05-15.docx))

 3/5/2015 House Unanimous consent for third reading on next legislative day ([House Journal‑page 45](file:///h%3A%5CHJ%20Archive%5C2015%5C03-05-15.docx))

 3/6/2015 House Read third time and returned to Senate with amendments ([House Journal‑page 2](file:///h%3A%5CHJ%20Archive%5C2015%5C03-06-15.docx))

 3/10/2015 Senate Introduced and read first time ([Senate Journal‑page 13](file:///h%3A%5CSJ%20Archive%5C2015%5C03-10-15.docx))

 3/10/2015 Senate Referred to Committee on **Labor, Commerce and Industry** ([Senate Journal‑page 13](file:///h%3A%5CSJ%20Archive%5C2015%5C03-10-15.docx))

 3/31/2015 Scrivener's error corrected

 4/23/2015 Senate Committee report: Favorable **Labor, Commerce and Industry** ([Senate Journal‑page 12](file:///h%3A%5CSJ%20Archive%5C2015%5C04-23-15.docx))

 4/24/2015 Scrivener's error corrected

 6/2/2015 Senate Read second time ([Senate Journal‑page 26](file:///h%3A%5CSJ%20Archive%5C2015%5C06-02-15.docx))

 6/2/2015 Senate Roll call Ayes‑42 Nays‑1 ([Senate Journal‑page 26](file:///h%3A%5CSJ%20Archive%5C2015%5C06-02-15.docx))

 6/4/2015 Senate Read third time and enrolled

 6/8/2015 Ratified R 118

 6/11/2015 Signed By Governor

 6/17/2015 Effective date 06/11/15

 6/18/2015 Act No. 80

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**VERSIONS OF THIS BILL**

[1/13/2015](file:///p%3A%5Cpprever%5C2015-16%5C3305_20150113.docx)

[3/4/2015](file:///p%3A%5Cpprever%5C2015-16%5C3305_20150304.docx)

[3/5/2015](file:///p%3A%5Cpprever%5C2015-16%5C3305_20150305.docx)

[3/31/2015](file:///p%3A%5Cpprever%5C2015-16%5C3305_20150331.docx)

[4/23/2015](file:///p%3A%5Cpprever%5C2015-16%5C3305_20150423.docx)

[4/24/2015](file:///p%3A%5Cpprever%5C2015-16%5C3305_20150424.docx)

(A80, R118, H3305)

**AN ACT** **TO AMEND SECTION 41‑35‑120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DENIAL OF UNEMPLOYMENT BENEFITS FOR AN EMPLOYEE WHO TESTS POSITIVE FOR ILLEGAL DRUG USE OR THE UNLAWFUL USE OF LEGAL DRUGS, SO AS TO EXPAND THE RANGE OF SPECIMENS FROM AN EMPLOYEE THAT MAY BE TESTED TO INCLUDE ORAL FLUIDS, AND TO CHANGE CERTIFICATION REQUIREMENTS OF LABORATORIES THAT MAY PERFORM THESE TESTS.**

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

**Oral fluid testing allowed, testing laboratory certification revised**

SECTION 1. Section 41‑35‑120(3)(a)(iii) of the 1976 Code, as last amended by Act 146 of 2010, is further amended to read:

 “(iii) insured worker provides a blood, hair, oral fluid, or urine specimen during a drug test administered on behalf of the employer, which tests positive for illegal drugs or legal drugs used unlawfully, provided:

 (A) the sample was collected and labeled by a licensed health care professional or another individual authorized to collect and label test samples by federal or state law, including law enforcement personnel; and

 (B) the test was performed by a laboratory certified to perform such tests by the United States Department of Health and Human Services (USDHHS)/Substance Abuse Mental Health Services Administration (SAMHSA), the College of American Pathologists or the State Law Enforcement Division; and

 (C) an initial positive test was confirmed on the specimen using the gas chromatography/mass spectrometry method, or an equivalent or a more accurate scientifically accepted method approved by USDHHS/SAMHSA;”

**Time effective**

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

Ratified the 8th day of June, 2015.

Approved the 11th day of June, 2015.

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