INTRODUCED

March 7, 2017

**H. 3905**

Introduced by Regulations and Administrative Procedures Committee

S. Printed 3/7/17--H.

Read the first time March 7, 2017.

**A** **JOINT RESOLUTION**

TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO PRESERVATION OF RECORDS IN EVENT OF CHARGE OF DISCRIMINATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4681, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

SECTION 1. The regulations of the South Carolina Human Affairs Commission, relating to Preservation of Records in Event of Charge of Discrimination, designated as Regulation Document Number 4681, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

SECTION 2. This joint resolution takes effect upon approval by the Governor.

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SUMMARY AS SUBMITTED

BY PROMULGATING AGENCY.

Regulation 65‑23 requires that state agencies retain relevant personnel records during a timely investigation by the Human Affairs Commission under the Human Affairs Law, but that limitation does not reflect charges against other employers over whom the agency has jurisdiction to investigate, nor does the regulation contemplate the federal counterpart receiving files that are ultimately waived to the Agency.

Notice of Drafting for the proposed amended regulation was published in the *State Register* on September 23, 2016.

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