**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40‑80‑65 SO AS TO PROVIDE PROCEDURES THROUGH WHICH A FIRE DEPARTMENT THAT ASSUMES THE COST OF TRAINING A FIREFIGHTER MAY BE REIMBURSED FOR THESE COSTS BY OTHER FIRE DEPARTMENTS THAT SUBSEQUENTLY HIRE THE FIREFIGHTER WITHIN A CERTAIN PERIOD OF TIME.

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

SECTION 1. Chapter 80, Title 40 of the 1976 Code is amended by adding:

“Section 40‑80‑65. (A) If a firefighter who satisfactorily completes mandatory firefighter training while working for one employer is hired by a subsequent employer within two years after the date on which he satisfactorily completed such training, the subsequent employer shall reimburse the employer for whom the firefighter worked at the time of attending the mandatory training:

(1) one hundred percent of the cost of training the firefighter, which must include the firefighter’s salary paid during the training period and other training expenses incurred while the firefighter was attending the mandatory training, if the firefighter is hired within one year of the date of satisfactory completion of the mandatory training; or

(2) fifty percent of the cost of training the firefighter, which must include the firefighter’s salary paid during the training period and other training expenses incurred while the firefighter was attending the mandatory training, if the firefighter is hired after one year but before the end of the second year after the date of satisfactory completion of the mandatory training.

(B) If the firefighter works for more than one subsequent employer within the two‑year period after the date of satisfactory completion of the mandatory training, an employer that reimbursed the employer for whom the firefighter worked during the training period may obtain reimbursement from the successive subsequent employer for:

(1) one hundred percent of the cost of training the firefighter, which must include the firefighter’s salary paid during the training period and other training expenses incurred while the firefighter was attending the mandatory training, if the firefighter is hired within one year of the date of satisfactory completion of the mandatory training; or

(2) fifty percent of the cost of training the firefighter, which must include the firefighter’s salary paid during the training period and other training expenses incurred while the firefighter was attending the mandatory training, if the firefighter is hired after one year but before the end of the second year after the date of satisfactory completion of the mandatory training.

(C) The employer for whom the firefighter works during the training period or an employer seeking reimbursement from a subsequent employer may not be reimbursed for more than one hundred percent of the combined cost of the firefighter’s salary paid during the training period and other training expenses incurred while the firefighter was attending the mandatory training.

(D) An employer, prior to seeking any other reimbursement, shall first seek reimbursement from the subsequent hiring employer under the provisions of this section. In no case may an employer receive more than one hundred percent of the cost of the firefighter’s salary paid during the training period and other training expenses incurred while the firefighter was attending the mandatory training.

(E) A firefighter may not be required to assume the responsibility of the repayment of these or any other related costs by an employer seeking reimbursement pursuant to this section.

(F) An agreement in existence before the effective date of this section between a firefighter and an employer concerning the repayment of costs for mandatory training remains in effect to the extent that it does not violate the provisions of subsection (C), (D), or (E). An employer may not, as a condition of employment, enter into a promissory note for the repayment of costs for mandatory training after the effective date of this section.”

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

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