**South Carolina General Assembly**

125th Session, 2023-2024

**H. 3822**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. M.M. Smith, Pace, B.L. Cox, Davis, Chapman, White, S. Jones, Kilmartin, Guffey, Sessions, Bustos, Hartnett and Landing

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Introduced in the House on January 26, 2023

Currently residing in the House

Summary: First Responders Protection Act

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/26/2023 House Introduced and read first time (House Journal‑page 6)

 1/26/2023 House Referred to Committee on **Labor, Commerce and Industry** (House Journal‑page 6)

 2/8/2023 House Member(s) request name added as sponsor: White,
 S. Jones, Kilmartin

 3/8/2023 House Member(s) request name added as sponsor: Guffey,
 Sessions

 3/9/2023 House Member(s) request name added as sponsor: Bustos

 4/20/2023 House Member(s) request name added as sponsor: Hartnett

 5/9/2023 House Member(s) request name added as sponsor: Landing

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**VERSIONS OF THIS BILL**

[01/26/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3822_20230126.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “FIRST RESPONDERS PROTECTION ACT” BY ADDING SECTION 8‑1‑200 SO AS TO PROVIDE THAT CERTAIN INJURED FIRST RESPONDERS MUST BE PAID BY THE EMPLOYER ON THE SAME BASIS AS BEFORE THE INJURY.

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

SECTION 1. This act may be cited as the “First Responders Protection Act”.

SECTION 2. Chapter 1, Title 8 of the S.C. Code is amended by adding:

 Section 8‑1‑200. (A) For the purposes of this section:

 (1) “Eligible employee” means any law enforcement officer, firefighter, or EMS personnel who performs first responder duties, who is employed by this State, or any political subdivision of this State, including a special purpose district or fire district, or any other public entity granted the power to employ persons for such purposes by law.

 (2) “Employer” means this State, or any political subdivision of this State, including a special purpose district or fire district, or any other public entity granted the power to employ persons for such purposes by law.

 (B) Whenever an eligible employee suffers any injury in the line of duty which causes him to be unable to perform his duties, the employer shall pay him on the same basis as he was paid before the injury.

 (C) An employer may not deduct from an eligible employee’s sick leave credits, compensatory time for overtime accumulations or vacation, or service credits in a public employee pension fund during the time the eligible employee is unable to perform his duties due to the result of the injury, but not longer than one year in relation to the same injury.

 (D) After the length of recovery from injury or the one year granted, an eligible employee returning from leave must be restored to his former position, or equivalent position, if the former position has been eliminated, without loss of any employment benefits accrued before the leave.

 (E) If the injury is so severe that after the one‑year period, the eligible employee cannot return to work, then that employee is considered disabled and eligible for early retirement and all the retirement benefits afforded to employees, regardless of the age of the injured employee, and his employer shall take the appropriate steps to enroll the employee into disability retirement.

SECTION 3. This act takes effect upon approval by the Governor.

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