**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4226**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Pendarvis

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Introduced in the House on March 29, 2023

Currently residing in the House Committee on **Ways and Means**

Summary: Paid parental leave

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/29/2023 House Introduced and read first time (House Journal‑page 74)

 3/29/2023 House Referred to Committee on **Ways and Means** (House Journal‑page 74)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=4226&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[03/29/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4226_20230329.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 41‑1‑140 SO AS TO REQUIRE ELIGIBLE EMPLOYERS TO PROVIDE PAID PARENTAL LEAVE TO ELIGIBLE EMPLOYEES AFTER THE BIRTH OF A CHILD, TO DEFINE TERMS, AND TO PROVIDE PENALTIES.

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

SECTION 1. Chapter 1, Title 41 of the S.C. Code is amended by adding:

 Section 41‑1‑140. (A) For purposes of this section:

 (1) “Eligible employee” means an individual who has been employed by an employer:

 (a) for twelve weeks, if working thirty or more hours per week; or

 (b) for twenty‑four weeks, if working less than thirty hours per week.

 (2) “Employer” means an employer with over thirty‑five employees or with an annual revenue of at least five hundred thousand dollars.

 (3) “Paid parental leave” means four weeks of paid leave at one hundred percent of the eligible employee’s salary followed by an additional two weeks of paid leave at fifty percent of the eligible employee’s salary following the birth of a child.

 (4) “Public employer” means the State, a state agency, a quasi‑governmental body of the State, or any political subdivision of the State.

 (B) All employers must provide paid parental leave to eligible employees. An eligible employee’s salary is calculated using the eligible employee’s earnings at the same employer for the period before the beginning of the second trimester of pregnancy.

 (C) When an eligible employee is pregnant, she shall work no more than twenty hours per week and maintain benefits as if she were working full time.

 (D)(1) A private employer found to be in violation of this section shall incur a fine of 0.75% of its annual revenue per violation.

 (2) A public employer found to be in violation of this section shall incur a fine of five percent of the salary of the director, agency head, or other chief executive per violation.

 (3) If an employer retaliates against an eligible employee for exercising the rights contained in this section, the employer is subject to a penalty twice the amount of the penalties outlined in this subsection.

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

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