**South Carolina General Assembly**

125th Session, 2023-2024

**S. 467**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Labor, Commerce and Industry Committee

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Introduced in the Senate on January 31, 2023

Currently residing in the Senate Committee on **Labor, Commerce and Industry**

Summary: Department of Employment and Workforce - JR to Approve Regulation Document No. 5147

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/31/2023 Senate Introduced, read first time, placed on calendar without reference ([Senate Journal‑page 5](h:\sj\20230131.docx))

2/15/2023 Senate Recommitted to Committee on **Labor, Commerce and Industry** ([Senate Journal‑page 12](h:\sj\20230215.docx))

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=467&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[01/31/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/467_20230131.docx)

[01/31/2023-A](https://www.scstatehouse.gov/sess125_2023-2024/prever/467_20230131a.docx)

Introduced

January 31, 2023

S. 467

Introduced by Senate - Labor, Commerce and Industry

S. Printed 01/31/23--S.

Read the first time January 31, 2023

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A JOINT RESOLUTION

TO APPROVE REGULATIONS OF THE Department of Employment and Workforce, RELATING TO Contributions: Interest, DESIGNATED AS REGULATION DOCUMENT NUMBER 5147, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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

SECTION 1. The regulations of the Department of Employment and Workforce, relating to Contributions: Interest, designated as Regulation Document Number 5147, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the S.C. 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.

Section 41‑31‑400 of the Code of Laws of South Carolina, 1976, confers upon the Department of Employment and Workforce all powers for collection of unpaid unemployment taxes, interest, and penalties that are conferred upon the Department of Revenue by Title 12 for the collection of unpaid income taxes. However, R.47‑16, as currently written, provides the Department of Employment and Workforce with only the collection remedies set forth in Chapter 54 of Title 12 rather than the entire title. The Department proposes amending this regulation, removing the reference to “Chapter 54,” to allow the Department to exercise all powers and collection remedies conferred by statute. In addition, because Section 41‑41‑40 of the Code of Laws of South Carolina, 1976, provides for collection of overpaid unemployment insurance benefits in the same manner provided in Sections 41‑31‑380 through 41‑31‑400 for the collection of past due employer contributions, the proposed regulation incorporates collection of overpaid unemployment insurance benefits into the text of this regulation.

The Notice of Drafting was published in the *State Register* on August 26, 2022.

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