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Summary: Skills-Based Hiring Act

**HISTORY OF LEGISLATIVE ACTIONS**

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 12/5/2024 House Referred to Committee on **Labor, Commerce and Industry**

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 1/14/2025 House Referred to Committee on **Labor, Commerce and Industry** (House Journal‑page 219)

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**VERSIONS OF THIS BILL**

[12/05/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3479_20241205.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “SKILLS‑BASED HIRING ACT” BY ADDING ARTICLE 5 TO CHAPTER 1, TITLE 40 SO AS TO PROVIDE CERTAIN SKILLS‑BASED HIRING INITIATIVES TO REMOVE UNNECESSARY BARRIERS TO EMPLOYMENT BY CUTTING RED TAPE AND ADDRESSING WORKFORCE SHORTAGES ACROSS SKILLED JOBS, AND TO INCLUDE AMONG THESE INITIATIVES AN EXPEDITED PROFESSIONAL AND OCCUPATIONAL LICENSING PROCESS FOR PERSONS LICENSED IN OTHER STATES, APPRENTICESHIP OPPORTUNITIES TO PROVIDE OCCUPATIONAL LICENSING THROUGH QUALIFIED APPRENTICESHIPS, AND PUBLIC SECTOR REGISTERED APPRENTICESHIP PROGRAMS AS A PATHWAY TO FULL‑TIME PERMANENT APPOINTMENTS OR EMPLOYMENT IN STATE GOVERNMENT.

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

SECTION 1. This act may be cited as the “Skills‑Based Hiring Act.”

SECTION 2. Chapter 1, Title 40 of the S.C. Code is amended by adding:

Article 5

Skills‑Based Hiring Initiatives

 Section 40‑1‑710. (A) The purpose of this section is to remove unnecessary barriers to employment by cutting red tape and addressing workforce shortages across skilled jobs, thereby making it easier for previously‑licensed individuals with applicable skills to get their occupational licenses when moving.

 (B) Upon receipt of a completed application, application fee, and consent to a criminal records background check, and any requisite fee, a licensing board under the Department of Labor, Licensing and Regulation shall issue a professional or occupational license, certificate of registration, or certification to any person who documents that he holds a valid, current corresponding license, certificate of registration, or certification in good standing issued by another state if:

 (1) the state that issued the license has, or had at the time of issuance, education, training, and examination requirements for licensure, registration, or certification substantially equivalent to the current standards of this State, as determined by the applicable board or committee;

 (2) the applicant had been practicing under that license in a field or position substantially related, as determined by the board or committee, to the profession for which licensure in this State is sought, for at least one year within the five years before the date of the application; and

 (3) the requirements of this section have been satisfied with respect to the person.

 (B) Prior to issuance of the license, certificate of registration, or certification pursuant to item (1), the board or committee shall have received or obtained:

 (1) documentation reasonably satisfactory to the board that the applicant’s license, certificate of registration, or certification in that other state is valid, current, and in good standing including, as appropriate, confirming such directly with the issuing state;

 (2) if the person seeking licensure as a healthcare professional as defined in state law, or if a criminal history background check is otherwise required prior to licensure in this State, the results of a criminal records background check by SLED or the FBI; and

 (3) designation of an agent for service of process if the applicant is not a resident of the State and does not have an office in the State.

 (C) For purposes of this section:

 (1) “Good standing” means that:

 (a) no action has been taken against the license of an applicant by any licensing board;

 (b) no action affecting the applicant’s privileges to practice his profession has been taken by any out‑of‑state institution, organization, or employer;

 (c) no disciplinary proceeding is pending that could affect the privileges of the applicant to practice his profession;

 (d) all fines levied against the applicant by any out‑of‑state board have been paid; and

 (e) there is no pending or final action by any criminal authority for a violation of law or regulation, or any arrest or conviction for any:

 (i) criminal or quasicriminal offense under the laws of the United States, this State, or another state including, but not limited to, criminal homicide, aggravated assault, sexual assault, criminal sexual conduct, or lewdness; or

 (ii) offense involving any controlled dangerous substance or controlled dangerous substance analog.

 (2) “Substantially equivalent” means an examination need not be identical to the current examination requirements of this State, but such examination shall be nationally recognized and of comparable scope and rigor.

 (D) An applicant shall satisfy or shall have satisfied all applicable prerequisites required for initial licensure in this State, such as obtaining insurance, including malpractice insurance, a surety bond, or a pressure seal.

 (E) An applicant shall truthfully answer all questions asked of an applicant for initial licensure.

 (F) No later than six months after the issuance of the license, the board or committee may request new documentation reasonably satisfactory to the board or committee verifying the person’s education, training, and examination results.

 (G) A board or committee, after the licensee has been given notice and an opportunity to be heard, may revoke any license based on a license issued by another state obtained through fraud, deception, or misrepresentation.

 (H) Nothing in this section shall preclude a board from requiring an applicant for licensure based on an out‑of‑state license to take an online course or an orientation available to the applicant at any time.

 (I) Nothing in this section shall preclude a board from only granting a license, certificate of registration, or certificate without examination to an applicant seeking reciprocity who holds a corresponding license, certificate of registration, or certificate from another state if equal reciprocity is provided for an applicant for licensure under the law of that state.

 (J) Nothing in this section shall preclude a board from exercising its discretion to grant a license, certificate of registration, or certification without examination to an applicant seeking reciprocity who holds a corresponding license, certificate of registration, or certification from another state who does not meet the good standing requirement of this section due to a pending action by a licensing board, a pending action by an out‑of‑state institution, organization, or employer affecting the applicant’s privileges to practice, a pending disciplinary proceeding, or a pending criminal charge or arrest for a crime.

 Section 40‑1‑720. (A) The purpose of this section is to provide occupational licensing through qualified apprenticeships in the private sector.

 (B) The Department of Labor, Licensing and Regulation is hereby authorized to recognize qualified apprenticeships as an alternative means of obtaining occupational licenses.

 (C) The department shall establish the criteria necessary for granting licenses under this expanded apprenticeship program.

 (D) The criteria established must include, but not be limited to:

 (1) completion of an apprenticeship program that:

 (a) is approved by the department or the United States Department of Labor, in accordance with any applicable state or federal law; and

 (b) is completed either at a school that is licensed by the department or by training with a person or employee or employer of a business licensed by the department who holds the license for which the applicant applies; and

 (2) successful completion of any examination that is required of all professionals of that trade in the State.

 (a) The passing score on an examination must not discriminate between an applicant from an apprenticeship and an applicant from a vocational or trade school.

 (b) If the rules adopted by the applicable licensing authority do not otherwise require successful completion of an examination, then an examination may not be required for participation in the expanded apprenticeship program.

 (E) The department shall promulgate regulations necessary to implement the expanded apprenticeship program, including limitations on the maximum and minimum number of hours required for each authorized apprenticeship.

 (F) The department has the right to exempt classes of occupations from the expanded apprenticeship program.

 Section 40‑1‑730. (A) The purpose of this section is to offer public‑sector‑registered apprenticeship programs as a pathway to full‑time permanent appointments or employment in State government.

 (B) Registered apprenticeship programs shall include five key elements:

 (1) direct industry involvement;

 (2) structured on‑the‑job learning and mentorship;

 (3) related classroom instruction to complement the on‑the‑job learning;

 (4) progressive wage increases for apprenticeships as their skills and knowledge increase; and

 (5) national industry‑recognized credentials, referred to as a Certificate of Completion, which is issued by the United States Department of Labor or a federally‑recognized State apprenticeship agency.

 (C) The Department of Labor, Licensing and Regulation shall promote and make available statewide guidance and strategies for departments to expand the number of registered apprenticeship programs they offer. The department shall:

 (1) collaborate to remove administrative barriers to the adoption of registered apprenticeship programs;

 (2) coordinate with related instruction providers, such as institutions of higher education, to enhance registered apprenticeships with additional credentials and professional certificates where appropriate for occupational skill‑building;

 (3) work with other state agencies to provide technical assistance and resources to launch and expand their registered apprenticeship programs; and

 (4) work with talent partners and support service providers to develop an equity‑driven apprenticeship recruitment and retention strategy, coordinating resources to support job seekers and employer‑led diversity, equity, inclusion, and accessibility strategies. Talent partners and supportive service providers may include, but are not limited to, qualified intermediaries, local workforce centers, local education providers, and institutions of higher education.

 (D) Every state agency shall work with the department to review their most in‑demand positions and determine which positions are good candidates for work‑based learning talent development strategies.

 (E) Every state agency shall work with the department to increase the number of registered apprenticeship programs in their department by fifty percent before January 1, 2027, with a preference for programs in classifications with high vacancy rates or in‑demand occupations.

 (F) Every state agency shall submit a report to the department before January 1, 2027, with their strategies and timelines for expanding work‑based learning. At a minimum, the report shall include:

 (1) strategies and timelines for every department of government in this State to implement at least two work‑based learning programs within six months of submission of the report and at least two new work‑based learning programs every five years thereafter; and

 (2) strategies and timelines to obtain all available federal, foundation, and other funds, and proposed applications for federal funding and foundation grant funding.

 (G) The department shall develop guidance and tools for departments of government in this State to implement work‑based learning programs where registered apprenticeships are not a viable option.

 (H) The department shall develop a recruitment program to recruit secondary school graduates to public service opportunities through work‑based learning programs.

 (I) State employees hired under the registered apprenticeship programs shall be initially classified as temporary appointments for the duration of their apprenticeship, which should serve as a viable permanent hiring pathway. The Department of Administration may exempt employees hired under the registered apprenticeship programs from limits to the number of hours that a temporary appointment may work from any one department within a twelve‑month period.

 (J) The Department of Administration shall:

 (1) begin job posting with equivalent experience needed in lieu of a college degree whenever possible;

 (2) regularly assess the educational, experiential, and training requirements necessary for each job within each department, agency, board, bureau, office, commission, public corporation, or authority;

 (3) identify jobs for which the educational, experiential, and training requirements could be reduced from their present level;

 (4) insofar as practicable, reduce the number of jobs for which a four‑year college degree is required as a condition of employment; and

 (5) expand opportunities for apprenticeships or other nondegree programs to meet requirements.

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

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