



LEXSEE 2009 BILL TEXT SC S.B. 362

THE STATE OF SOUTH CAROLINA  
BILL TEXT



Copyright © 2009 by State Net(R), All Rights Reserved.

2009 SC S.B. 362

SOUTH CAROLINA 118TH SOUTH CAROLINA GENERAL ASSEMBLY - 1ST REGULAR SESSION

SENATE BILL 362

SC S 362

BILL TRACKING REPORT: 2009 Bill Tracking SC S.B. 362

*2009 Bill Text SC S.B. 362*

**VERSION:** Introduced

**VERSION-DATE:** February 3, 2009

**SYNOPSIS:** A BILL

TO AMEND SECTION 42-11-30 OF THE 1976 CODE, RELATING TO FIREFIGHTERS COVERED UNDER WORKERS' COMPENSATION LAW AND THE PRESUMPTION REGARDING IMPAIRMENT OR INJURY FROM HEART DISEASE AND OR RESPIRATORY DISEASE, TO PROVIDE THAT THE IMPAIRMENT OR INJURY IS CONSIDERED TO HAVE ARISEN OUT OF AND IN THE COURSE OF EMPLOYMENT IF THEY HAVE SUCCESSFULLY PASSED A PHYSICAL EXAM WITHIN THE LAST TEN YEARS.

**NOTICE:** [A> UPPERCASE TEXT WITHIN THESE SYMBOLS IS ADDED <A]

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

SECTION 1. Section 42-11-30(A) of the 1976 Code is amended to read:

"(A) Notwithstanding the provisions of this chapter, for purposes of the South Carolina Workers' Compensation Law, any impairment or injury to the health of a firefighter caused by heart disease or respiratory disease resulting in total or partial disability or death is presumed to have arisen out of and in the course of employment, unless the contrary is shown by competent evidence, if the firefighter is at the time of such impairment or injury a bona fide member of a municipal, county, state, port authority, or fire control district fire department in this State. In order to be entitled to the presumption provided for in this section, any person becoming a member of a fire department after May 29, 1968, must be under the age of thirty-seven years and must have successfully passed a physical examination by a competent physician upon entering into such service [A> OR WITHIN THE LAST TEN YEARS <A], a written report of which must have been made and filed with the fire department, which examination failed to reveal any evidence of such condition or conditions, and the condition or conditions developed while actively engaged in fighting a fire or within twenty-four hours from the date of last service in the activity."

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

**SPONSOR:** Alexander

**SUBJECT:** RESPIRATORY DISEASE (93%); WORKERS COMPENSATION LAW (92%); DISEASES & DISORDERS (92%); WORKERS COMPENSATION (92%); LEGISLATIVE BODIES (90%); LEGISLATION (90%); LEGISLATORS (90%); CITY GOVERNMENT (77%); WORKERS COMPENSATION DISABILITY (76%); APPROVALS (74%); PORT AUTHORITIES (54%);

**LOAD-DATE:** February 4, 2009