

State of South Carolina

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Workers' Compensation Commission

ADVISORY

South Carolina General Assembly Amends S.C. Code Ann. § 42-11-30, Reg. 67-206, and Reg. 67-1507

May 29, 2026

On May 14, 2026, The South Carolina General Assembly passed House Bill 3163 amending South Carolina Code Section 42-11-30. Governor McMaster signed the bill, making the amendments effective on May 15, 2026. The General Assembly also approved amendments to South Carolina Code Regulations 67-206 and 67-1507 on May 10, 2026. The full text of the amendments are attached to this advisory.

South Carolina Code Section 42-11-30(A) details a presumption for firefighters that suffer heart or respiratory diseases arising out of and in the course of employment. The amendments extend this presumption to strokes. In order to be entitled to the presumption, claimants must pass a physical examination upon entering such service, a written report of which must be made and filed with the fire department before any alleged injury.

The amendments expand the presumption to cover conditions developed while actively engaged in a technical rescue incident or firefighter training exercise involving stressful or strenuous physical activity, or within twenty-four hours thereof. The presumption does not apply to clerical, administrative, or sedentary activities.

South Carolina Code Reg. 67-206 details the process of filing a claim. S.C. Reg. 67-206(A) is amended for clarity to specify a claimant shall file a Form 50, Form 52, or a letter.

South Carolina Code Reg. 67-1507 clarifies procedures for the acceptance, administration, and revocation of irrevocable letters of credit as a self-insurer's proof of compliance. The amendments delete subsections 67-1057(D)(4) and 67-1057(D)(5) and add a new subsection, 67-1507(E), to reflect current practice when a self-insurer loses the privilege of self-insurance or fails to secure the payment of its liability as required under the South Carolina Workers' Compensation Act.

Please direct all comments and questions to:

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South Carolina General Assembly
126th Session, 2025-2026

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A132, R171, H3163

STATUS INFORMATION

General Bill

Sponsors: Reps. M.M. Smith, Lawson, Pope, Spann-Wilder, McCravy, Hartnett, Teeple, Kilmartin, Montgomery, Sanders, Bauer, Guffey, Taylor and W. Newton

Document Path: LC-0122WAB25.docx

Introduced in the House on January 14, 2025

Introduced in the Senate on April 23, 2025

Last Amended on April 10, 2025

Currently residing in the Senate

Governor's Action: May 15, 2026, Signed

Summary: Occupational diseases

HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action Description with journal page number
12/5/2024	House	Prefiled
12/5/2024	House	Referred to Committee on Labor, Commerce and Industry
1/14/2025	House	Introduced and read first time (House Journal-page 113)
1/14/2025	House	Referred to Committee on Labor, Commerce and Industry (House Journal-page 113)
1/15/2025	House	Member(s) request name added as sponsor: Hartnett, Teeple
2/5/2025	House	Member(s) request name added as sponsor: Kilmartin
3/27/2025	House	Member(s) request name added as sponsor: Montgomery
4/1/2025	House	Member(s) request name added as sponsor: Sanders
4/8/2025	House	Member(s) request name added as sponsor: Bauer
4/9/2025	House	Member(s) request name added as sponsor: Guffey, Taylor
4/9/2025	House	Committee report: Favorable with amendment Labor, Commerce and Industry
4/10/2025	House	Member(s) request name added as sponsor: W. Newton
4/10/2025		Scrivener's error corrected
4/10/2025	House	Amended (House Journal-page 32)
4/10/2025	House	Read second time (House Journal-page 32)
4/10/2025	House	Roll call Yeas-103 Nays-0 (House Journal-page 32)
4/22/2025	House	Read third time and sent to Senate (House Journal-page 9)
4/23/2025	Senate	Introduced and read first time (Senate Journal-page 7)

Date	Body	Action Description with journal page number
4/23/2025	Senate	Referred to Committee on Judiciary (Senate Journal-page 7)
4/29/2026	Senate	Committee report: Favorable Judiciary (Senate Journal-page 15)
5/5/2026	Senate	Read second time (Senate Journal-page 31)
5/5/2026	Senate	Roll call Ayes-41 Nays-3 (Senate Journal-page 31)
5/6/2026	Senate	Read third time and enrolled (Senate Journal-page 76)
5/14/2026		Ratified R 171
5/15/2026		Signed By Governor
5/26/2026		Effective date 05/15/26
5/26/2026		Act No. 132

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VERSIONS OF THIS BILL

[12/05/2024](#)

[04/09/2025](#)

[04/10/2025](#)

[04/10/2025-A](#)

[04/29/2026](#)

(Text matches printed bills. Document has been reformatted to meet World Wide Web specifications.)

NOTE: THIS IS A TEMPORARY VERSION. THIS DOCUMENT WILL REMAIN IN THIS VERSION UNTIL FINAL APPROVAL BY THE LEGISLATIVE COUNCIL.

(A132, R171, H3163)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 42-11-30, RELATING TO COMPENSABLE OCCUPATIONAL DISEASES FOR FIREFIGHTERS, SO AS TO INCLUDE STROKES AND TO REVISE PRESUMPTION ENTITLEMENT CRITERIA.

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

Occupational diseases, firefighters

SECTION 1. Section 42-11-30(A) of the S.C. 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, stroke, 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 or by July 1, 2012, a written report of which must have been made and filed before any alleged injury 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, a technical rescue incident, or a firefighter training exercise that involves stressful or strenuous physical activity, or within twenty-four hours thereof. This presumption does not apply to clerical, administrative, or sedentary activities.

Time effective

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

Ratified the 14th day of May, 2026.

Approved the 15th day of May, 2026.

This web page was last updated on May 26, 2026 at 4:44 PM

To initiate General Assembly review the following verification must be signed and returned to the Clerk of the State Register

VERIFICATION

This certifies that I have reviewed the text of this document and determined that it conforms to the text submitted by this agency to the Clerk of the State Register.

Date

Reviewing Officer

Document No. 5430
SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION
CHAPTER 67
Statutory Authority: 1976 Code Section 42-3-30

67-206. Filing a Claim.

Synopsis:

The purpose of this proposed regulation is to update and clarify procedures governing the filing of a claim with the South Carolina Workers' Compensation Commission. The amendments define acceptable forms for filing, set forth the requirements for letters of claim, and specify the responsibilities of employers and their representatives upon notice of filing.

Section-by-Section Discussion:

67-206.A. Strike "To file a claim" and replace with "Claimant shall."

The Notice of Drafting was published in the State Register on September 26, 2025.

Instructions:

Print the regulation as show below. All other items remain unchanged.

Text:

67-206. Filing a Claim.

A. ~~To file a claim,~~ Claimant shall file with the Commission's Claims Department a Form 50, Form 52, or a letter as provided below.

B. To file a claim on a Form 50 or Form 52, mark the box at the signature line which states "I am filing a claim. I am not requesting a hearing at this time."

(1) Address and deliver the form to the Claims Department.

(2) Filing a claim requires the WCC file number or the Coverage Coding Form 39 must be included. This requirement may be waived for unrepresented claimants.

(3) Filing a claim does not request a hearing nor is the employer's representative required to file a Form 51 or 53.

C. A letter filed with the Commission also files a claim. The letter should include the information listed in items (1) through (13) below:

- (1) Claimant's name (and worker's name, if different);
- (2) Claimant's address (and worker's address, if different);
- (3) Claimant's home and work telephone numbers (and worker's home and work telephone numbers, if different);
- (4) Claimant's social security number (and worker's social security number, if different);
- (5) Employer's name;
- (6) Employer's address;
- (7) Employer's telephone number;
- (8) Employer's insurance carrier, if known;
- (9) Date of injury;
- (10) The county in which the injury occurred;
- (11) Type of injury (to which area of body);
- (12) Description of the accident;
- (13) The WCC file number or Coverage Coding Form must be included.

D. Failure to include any of the information above does not bar the claim if the information necessary to an issue in the claim is given to the Commission upon request.

E. The Commission will notify the employer's representative a claim has been filed. The employer's representative shall immediately contact the claimant.

Fiscal Impact Statement:

No significant fiscal impact is anticipated as a result of this amendment.

Statement of Rationale:

The HLOC Committee recommended that the language of this regulation be revised for clarity and administrative accuracy. These amendments ensure consistent standards for filing and notification under the Workers' Compensation Act.

To initiate General Assembly review the following verification must be signed and returned to the Clerk of the State Register

VERIFICATION

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Date

Reviewing Officer

Document No. 5431

SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION
CHAPTER 67

Statutory Authority: 1976 Code Sections 1-23-110(A)(1)(c), 42-3-30, and 42-5-20

67-1507. Proof of Compliance, Irrevocable Letter of Credit.

Synopsis:

The purpose of this proposed regulation is to clarify procedures for the acceptance, administration, and revocation of irrevocable letters of credit as proof of compliance for self-insured employers. It provides updated guidance to ensure the Commission's ability to safeguard the payment of claims and maintain consistent standards of financial responsibility.

Section-by-Section Discussion:

67-1507.D.(4) – Delete.

67-1507.D.(5) – Delete.

67-1507.E. – Add all new text for E.

The Notice of Drafting was published in the State Register on March 28, 2025.

Instructions:

Print the regulation as shown below. All other items remain unchanged.

Text:

67-1507. Proof of Compliance, Irrevocable Letter of Credit.

A. The Commission in its discretion may accept a Form 8B, Proof of Compliance, Memorandum of Understanding and Irrevocable Letter of Credit, as proof of compliance instead of a surety bond or securities. The Commission will determine the amount as provided by R.67-1505A.

B. The applicant for self-insurance shall file the Form 8B with the Commission's Self-Insurance Division within the time provided in R.67-1502B.

C. The following provisions shall apply to a letter of credit.

(1) The letter of credit must be issued by a bank chartered in this State or a federally chartered bank with a branch office in this State.

(2) The bank shall offer the irrevocable letter of credit by completing a Form 8B.

(3) The South Carolina Workers' Compensation Commission shall be the named beneficiary.

(4) A proposed letter of credit must be approved by the Commission before the Commission issues a Form 9, Certificate for Self-Insurance.

D. Once an irrevocable letter of credit is established, it may be revoked only with the consent of the Commission.

(1) The Self-Insurance Division may grant consent only when the self-insurer offers proof of the purchase of a surety bond, pledges securities or obtains another irrevocable letter of credit.

(2) Expiration or cancellation of a letter of credit is effective only after sixty days written notice filed with the Self-Insurance Division.

(3) The self-insurer shall file notice of the replacement to the Self-Insurance Division in writing by certified mail.

~~(4) When the self-insurer fails to replace the letter of credit with another accepted proof of compliance, the Commission may demand payment of the letter of credit and deposit the proceeds in the South Carolina State Treasurer's Office to guarantee payment of any claim occurring during the self-insured period.~~

~~(5) The Commission may exercise the letter of credit at any time if the proceeds are needed for payment of a claim that occurred during the self-insured period.~~

E. When a self-insurer loses or withdraws its privilege of self-insurance or the Self-Insurance Division determines the self-insurer is unable or unwilling to secure the payment of its liability under the Act, the commission may demand payment of the letter of credit to guarantee payment of any claim occurring during the self-insured period.

(1) The Commission may release the funds received from the letter of credit, or any part thereof, when the Commission determines that all contingent liability arising during the period of self-insurance has expired.

(2) The Commission may release the securities, or any part thereof, by notifying the bank holding the securities in trust to release the pledged securities.

(3) The self-insured employer, fund, or the issuing bank may request the release of securities or any part thereof by writing to the Self-Insurance Division.

(a) The Self-Insurance Division will notify the employer or fund of its administrative determination.

(b) If the employer or fund disagrees with the Self Insurance Division's determination, the employer or fund may request a hearing by filing a motion for hearing, according to R. 67-215. The parties proceed according to Article 6.

Fiscal Impact Statement:

No significant fiscal impact is anticipated. This amendment codifies existing practice.

Statement of Rationale:

The HLOC Committee recommended revisions to ensure clarity, remove obsolete references, and align procedural requirements with current Commission practice for irrevocable letters of credit.