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Indicates New Matter

COMMITTEE REPORT

February 22, 2012

**H. 3711**

Introduced by Reps. Sandifer, Hayes and D.C. Moss

S. Printed 2/22/12--S.

Read the first time March 31, 2011.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 3711) to amend the Code of Laws of South Carolina, 1976, by adding Section 39‑61‑210 so as to provide that an entity that contracts with an automobile club, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking the bill in its entirety and inserting the following:

/ A BILL

TO AMEND SECTION 39-61-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS OF THE SOUTH CAROLINA MOTOR CLUB ACT, SO AS TO PROVIDE THAT AN ENTITY THAT CONTRACTS WITH AN AUTOMOBILE CLUB LICENSED UNDER THE MOTOR CLUB SERVICES ACT FOR THE PROVISIONS OF EMERGENCY ROAD SERVICE AND TOWING SERVICE TO THE ENTITY’S CUSTOMERS IS NOT INCLUDED IN THE DEFINITION OF MOTOR CLUB.

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

SECTION 1. Section 39‑61‑20(b) of the 1976 Code is amended to read:

“(b) ‘Club’ means ~~any~~ a person ~~presently or hereafter~~ engaged in selling, furnishing, or making available to members, either as principal or agent, motor club services. This definition does not include an entity that enters into a service contract with a club licensed under this chapter for the provision of emergency road service and towing service to the customers of the entity.”

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

Renumber sections to conform.

Amend title to conform.

PAUL G. CAMPBELL, JR. for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

The South Carolina Department of Consumer Affairs estimates this bill will have no fiscal impact on the state general fund or on federal and/or other funds.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39‑61‑210 SO AS TO PROVIDE THAT AN ENTITY THAT CONTRACTS WITH AN AUTOMOBILE CLUB LICENSED UNDER THE MOTOR CLUB SERVICES ACT FOR THE PROVISIONS OF EMERGENCY ROAD SERVICE AND TOWING SERVICE TO THE ENTITY’S CUSTOMERS IS EXEMPT FROM ALL REQUIREMENTS OF THE MOTOR CLUB SERVICES ACT.

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

SECTION 1. Section 39‑61‑20(b) of the 1976 Code is amended to read:

“(b) ‘Club’ means ~~any~~ a person ~~presently or hereafter~~ engaged in selling, furnishing, or making available to members, either as principal or agent, motor club services. This definition does not include an entity that enters into a service contract with a club licensed under this chapter for the provision of emergency road service and towing service to the customers of the entity.”

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

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