

Labor, Commerce and Industry Committee



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MEMORANDUM

TO: Senate LCI Professions and Occupations Subcommittee:
Senator Nikki Setzler
Senator Sean Bennett cc: Senator Greg Gregory
Senator Kevin Johnson Representative Bill Sandifer
Senator Karl Allen
Senator Mike Gambrell
Senator Wes Climer

FROM: Senator Tom Davis, Subcommittee Chairman
Professions & Occupations Subcommittee

DATE: January 8, 2020

SUBJECT: Senate LCI - Professions & Occupations Subcommittee Meeting
January 14, 2020 11:00 A.M.

There will be a meeting of the Professions & Occupations Subcommittee of the Senate Labor, Commerce and Industry Committee on **January 14, 2020 at 11:00 a.m. in room #307 of the Gressette Building**. The following legislation will be on the agenda for consideration:

- A. S.758 - S. 758 -- Senator Gregory: A BILL TO AMEND SECTION 40-6-240(B) OF THE 1976 CODE, RELATING TO **CONTINUING EDUCATION REQUIREMENTS FOR LICENSED AUCTIONEERS**, TO PROVIDE THAT A LICENSEE WHO IS SIXTY-FIVE YEARS OLD OR OLDER WITH TWENTY-FIVE YEARS OF LICENSURE MAY APPLY FOR A CONTINUING EDUCATION WAIVER.
- B. H.4246 - H. 4246 -- Reprs. Sandifer and Thayer: A BILL TO AMEND ACT 60 OF 2017, RELATING TO **CRIMINAL BACKGROUND CHECKS BY THE REAL ESTATE COMMISSION**, SO AS TO **CHANGE THE TIME EFFECTIVE DATE TO JULY 1, 2020**.
- C. S.909 - S. 909 -- Senators Gambrell and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-10-108 SO AS TO PROVIDE CIRCUMSTANCES IN WHICH **PROFESSIONAL EMPLOYER ORGANIZATIONS MAY BE ELIGIBLE FOR CERTAIN TAX CREDITS AND ECONOMIC INCENTIVES UNDER THE ENTERPRISE ZONE ACT OF 1995**; BY ADDING SECTION 40-68-145 SO AS TO PROVIDE FOR THE DETERMINATION OF

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TAX CREDITS AND ECONOMIC INCENTIVES BASED ON EMPLOYMENT WITH RESPECT TO CLIENT COMPANIES OF PROFESSIONAL EMPLOYER ORGANIZATIONS; TO AMEND SECTION 40-68-55, RELATING TO THE ABILITY OF THE DEPARTMENT OF INSURANCE TO REGULATE THE ACCEPTANCE OF AFFIDAVIT OR CERTIFICATION OF APPROVAL OF QUALIFIED ASSURANCE ORGANIZATIONS, SO AS TO DELETE THE REQUIREMENT THAT THESE FUNCTIONS BE PROVIDED BY REGULATION; TO AMEND SECTION 40-68-60, RELATING TO THE REQUIREMENTS OF PROFESSIONAL EMPLOYMENT ORGANIZATION SERVICES AGREEMENTS BETWEEN PROFESSIONAL EMPLOYER ORGANIZATIONS AND ASSIGNED EMPLOYEES, SO AS TO PROVIDE ORGANIZATIONS SHALL PROVIDE ASSIGNED EMPLOYEES WITH CERTAIN WRITTEN NOTICE OF HOW THE AGREEMENT AFFECTS THEM; TO AMEND SECTION 40-68-70, RELATING TO THE REQUIREMENTS OF PROFESSIONAL EMPLOYMENT ORGANIZATION SERVICES AGREEMENTS BETWEEN PROFESSIONAL EMPLOYER ORGANIZATIONS AND CLIENT COMPANIES, SO AS TO PROVIDE THAT THE TERMS OF THE AGREEMENT MUST BE ESTABLISHED BY WRITTEN CONTRACT; AND TO AMEND SECTION 40-68-150, RELATING TO CERTAIN PROHIBITED ACTS, SO AS TO PROVIDE PROFESSIONAL EMPLOYER ORGANIZATIONS SHALL NOT ENGAGE IN THE SALE OF INSURANCE OR ACT AS THIRD PARTY ADMINISTRATORS, AND TO PROVIDE THAT THE SPONSORING AND MAINTAINING OF EMPLOYEE BENEFIT PLANS FOR THE BENEFIT OF ASSIGNED EMPLOYEES DOES NOT CONSTITUTE THE SALE OF INSURANCE.

Please contact Lisa Manini Widener at 212-6220 should you have questions.