

## Session 121 - (2015-2016)

### S 0493 General Bill, By O'Dell

#### *Similar (H 3795)*

**Summary:** Professional employment organization service agreements

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-68-65 SO AS TO PROVIDE FOR THE DETERMINATION OF 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 PROVIDE BY REGULATION FOR 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 DELETE THE REQUIREMENT THAT TERMS MUST BE ESTABLISHED BY WRITTEN CONTRACT, AND INSTEAD TO PROVIDE ORGANIZATIONS ONLY SHALL PROVIDE ASSIGNED EMPLOYEES WITH 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 CLARIFY THAT THE TERMS OF THE AGREEMENT MUST BE ESTABLISHED BY WRITTEN CONTRACT; 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; AND TO REPEAL SECTION 40-68-45 RELATING TO CONTINUING PROFESSIONAL EDUCATION.

03/03/15	Senate	Introduced and read first time (Senate Journal-page 5)
03/03/15	Senate	Referred to Committee on Labor, Commerce and Industry (Senate Journal-page 5)
01/28/16	Senate	Committee report: Favorable with amendment Labor, Commerce and Industry (Senate Journal-page 13)
01/29/16		Scrivener's error corrected
02/10/16	Senate	Committee Amendment Adopted (Senate Journal-page 13)
02/10/16	Senate	Read second time (Senate Journal-page 13)
02/10/16	Senate	Roll call Ayes-42 Nays-0 (Senate Journal-page 13)
02/11/16	Senate	Read third time and sent to House (Senate Journal-page 9)
02/11/16		Scrivener's error corrected
02/23/16	House	Introduced and read first time (House Journal-page 18)
02/23/16	House	Referred to Committee on Ways and Means (House Journal-page 18)
02/25/16	House	Recalled from Committee on Ways and Means (House Journal-page 27)
02/25/16	House	Committed to Committee on Labor, Commerce and Industry (House Journal-page 28)