COMMITTEE REPORT

March 3, 2011

**H. 3658**

Introduced by Reps. Clemmons, Harrell, Loftis, Herbkersman, Merrill, Corbin, Norman, D.C. Moss, Quinn, Bowen, Forrester, McCoy, Lucas, Bedingfield, Hamilton, Bingham, Hardwick, Owens, Bikas, Parker, Cooper, Erickson, Frye, V.S. Moss, Long, G.R. Smith, Atwater, Huggins, Murphy, Hearn, Whitmire, Brannon, Chumley, Tallon, Taylor, Limehouse, Patrick, Crosby, Thayer, Sottile, Crawford, Viers, Allison, Ballentine, Barfield, Cole, Daning, Delleney, Edge, Gambrell, Harrison, Henderson, Hixon, Lowe, Nanney, Pinson, Pitts, Sandifer, Simrill, G.M. Smith, J.R. Smith, Toole and Willis

S. Printed 3/3/11--H.

Read the first time February 10, 2011.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 3658) to amend the Code of Laws of South Carolina, 1976, by enacting the “South Carolina Employer Free Speech Act” by adding Section 41‑7‑110 so as, etc., respectfully

**REPORT:**

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

JAMES H. HARRISON for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE “SOUTH CAROLINA EMPLOYER FREE SPEECH ACT” BY ADDING SECTION 41‑7‑110 SO AS TO PROVIDE THAT AN EMPLOYER IN THIS STATE IS NOT REQUIRED TO POST, PHYSICALLY, ELECTRONICALLY, OR OTHERWISE, NOTICES INFORMING EMPLOYEES OF THEIR RIGHTS UNDER THE NATIONAL LABOR RELATIONS ACT, COURT DECISIONS IMPLEMENTING THOSE RIGHTS, OR INFORMATION PERTAINING TO THE ENFORCEMENT OF THOSE RIGHTS, AND TO PROVIDE DEFINITIONS.

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

SECTION 1. This act is known and may be cited as the “South Carolina Employer Free Speech Act”.

SECTION 2. Chapter 7, Title 41 of the 1976 Code is amended by adding:

“Section 41‑7‑110. (A) An employer in this State is not required to post, physically, electronically, or otherwise, notices informing employees of their rights under the National Labor Relations Act, court decisions implementing those rights, or information pertaining to the enforcement of those rights.

(B) For purposes of this section, ‘employer’ means a person, partnership, for profit or nonprofit corporation, limited liability corporation, and their agents, direct or indirect, that employ one or more employees. As used in this definition, ‘agent’ means any former supervisor or the employer’s designee. This definition includes employers who are subject to the National Labor Relations Act.”

SECTION 3. This act takes effect upon approval by the Governor.

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