**South Carolina General Assembly**

120th Session, 2013-2014

**A265, R285, S1099**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Sheheen and Bryant

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Introduced in the Senate on March 11, 2014

Introduced in the House on April 9, 2014

Last Amended on May 21, 2014

Passed by the General Assembly on May 29, 2014

Governor's Action: June 6, 2014, Signed

Summary: Unemployment benefits

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/11/2014 Senate Introduced and read first time ([Senate Journal‑page 6](file:///H:\SJ%20Archive\2014\03-11-14.docx))

3/11/2014 Senate Referred to Committee on **Labor, Commerce and Industry** ([Senate Journal‑page 6](file:///H:\SJ%20Archive\2014\03-11-14.docx))

4/1/2014 Senate Committee report: Favorable **Labor, Commerce and Industry** ([Senate Journal‑page 10](file:///H:\SJ%20Archive\2014\04-01-14.docx))

4/3/2014 Senate Read second time ([Senate Journal‑page 22](file:///H:\SJ%20Archive\2014\04-03-14.docx))

4/3/2014 Senate Roll call Ayes‑36 Nays‑0 ([Senate Journal‑page 22](file:///H:\SJ%20Archive\2014\04-03-14.docx))

4/8/2014 Senate Read third time and sent to House ([Senate Journal‑page 17](file:///H:\SJ%20Archive\2014\04-08-14.docx))

4/9/2014 House Introduced and read first time ([House Journal‑page 13](file:///H:\HJ%20Archive\2014\04-09-14.docx))

4/9/2014 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 13](file:///H:\HJ%20Archive\2014\04-09-14.docx))

5/15/2014 House Committee report: Favorable with amendment **Labor, Commerce and Industry** ([House Journal‑page 10](file:///H:\HJ%20Archive\2014\05-15-14.docx))

5/21/2014 House Amended ([House Journal‑page 179](file:///H:\HJ%20Archive\2014\05-21-14.docx))

5/21/2014 House Read second time ([House Journal‑page 179](file:///H:\HJ%20Archive\2014\05-21-14.docx))

5/21/2014 House Roll call Yeas‑96 Nays‑2 ([House Journal‑page 180](file:///H:\HJ%20Archive\2014\05-21-14.docx))

5/22/2014 House Read third time and returned to Senate with amendments ([House Journal‑page 10](file:///H:\HJ%20Archive\2014\05-22-14.docx))

5/29/2014 Senate Concurred in House amendment and enrolled

5/29/2014 Senate Roll call Ayes‑42 Nays‑0 ([Senate Journal‑page 100](file:///H:\SJ%20Archive\2014\05-29-14.docx))

6/5/2014 Ratified R 285

6/6/2014 Signed By Governor

6/13/2014 Effective date 06/06/14

6/26/2014 Act No. 265

**VERSIONS OF THIS BILL**

[3/11/2014](file:///p:\pprever\2013-14\1099_20140311.docx)

[4/1/2014](file:///p:\pprever\2013-14\1099_20140401.docx)

[5/15/2014](file:///p:\pprever\2013-14\1099_20140515.docx)

[5/21/2014](file:///p:\pprever\2013-14\1099_20140521.docx)

(A265, R285, S1099)

**AN ACT** **TO AMEND SECTION 41‑27‑260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE DEFINITION OF EMPLOYMENT FOR UNEMPLOYMENT BENEFIT PURPOSES, SO AS TO PROVIDE EXEMPTIONS FOR MOTOR CARRIERS THAT USE INDEPENDENT CONTRACTORS AND INDIVIDUALS TRANSPORTING VEHICLES FOR AUTOMOBILE DEALERS UNDER CERTAIN CIRCUMSTANCES.**

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

**Exemptions for motor carriers using independent contractors and automobile transports for dealers**

SECTION 1. Section 41‑27‑260 of the 1976 Code, as last amended by Act 63 of 2011, is further amended by adding appropriately numbered items at the end to read:

“(19) An individual or entity who owns, or holds under a bona fide lease purchase or installment‑purchase agreement, a tractor trailer, tractor, or other vehicle and who, under a valid independent contractor contract provides services as a driver of the tractor trailer, tractor, or other vehicle to a motor carrier.

(20) An individual performing a service for an automobile dealer related to the transportation of individual vehicles to purchasers or sellers of vehicles, including, but not limited to, when:

(a) an automobile auction is the purchaser, seller, or both;

(b) the contract of service contemplates that the service is to be performed personally by the individual;

(c) the individual does not own the vehicle used in connection with the performance of the service;

(d) the service is in the nature of a single transaction with no guarantee of a continuing relationship with the automobile dealer for whom the service is performed; or

(e) any combination of subitems (a) through (d).”

**Time effective**

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

Ratified the 5th day of June, 2014.

Approved the 6th day of June, 2014.

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