**South Carolina General Assembly**

120th Session, 2013-2014

**H. 3782**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Delleney

Document Path: l:\council\bills\nl\13171dg13.docx

Introduced in the House on March 7, 2013

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Public Employer Payroll Deduction Policy Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/7/2013 House Introduced and read first time ([House Journal‑page 15](file:///h:\HJ%20Archive\2013\03-07-13.docx))

3/7/2013 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 15](file:///h:\HJ%20Archive\2013\03-07-13.docx))

4/11/2013 House Committee report: Favorable with amendment **Labor, Commerce and Industry** ([House Journal‑page 35](file:///h:\HJ%20Archive\2013\04-11-13.docx))

4/17/2013 House Debate adjourned until Thur., 4‑18‑13 ([House Journal‑page 87](file:///h:\HJ%20Archive\2013\04-17-13.docx))

4/18/2013 House Recommitted to Committee on **Labor, Commerce and Industry** ([House Journal‑page 53](file:///h:\HJ%20Archive\2013\04-18-13.docx))

4/18/2013 Scrivener's error corrected

**VERSIONS OF THIS BILL**

[3/7/2013](file:///p:\pprever\2013-14\3782_20130307.docx)

[4/11/2013](file:///p:\pprever\2013-14\3782_20130411.docx)

[4/18/2013](file:///p:\pprever\2013-14\3782_20130418.docx)

COMMITTEE REPORT

April 11, 2013

**H. 3782**

Introduced by Rep. Delleney

S. Printed 4/11/13--H. [SEC 4/18/13 5:37 PM]

Read the first time March 7, 2013.

**THE COMMITTEE ON**

**LABOR, COMMERCE AND INDUSTRY**

To whom was referred a Bill (H. 3782) to amend the Code of Laws of South Carolina, 1976, by adding Section 8‑11‑87 so as to enact the “Public Employer Payroll Deduction Policy Act”, 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 SECTION 2 and inserting:

/ SECTION 2. Article 1, Chapter 11, Title 8 of the 1976 Code is amended by adding:

“Section 8‑11‑87. (A) Except where otherwise specifically authorized by law and by a signed writing of the public employee, deductions from the compensation of a public employee must not be made for dues, fees, and assessments for transmission to any public employee organization, any intermediary, or private individual.

(B) For purposes of this section, a ‘public employee’ means an employee of the state or any political subdivision thereof, including school districts.” /

Renumber sections to conform.

Amend title to conform.

WILLIAM E. SANDIFER III for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8‑11‑87 SO AS TO ENACT THE “PUBLIC EMPLOYER PAYROLL DEDUCTION POLICY ACT”, TO PROHIBIT DEDUCTIONS FROM THE COMPENSATION OF A PUBLIC EMPLOYEE FOR DUES, FEES, AND ASSESSMENTS FOR TRANSMISSION TO ANY PUBLIC EMPLOYEE ORGANIZATION, ANY INTERMEDIARY, OR PRIVATE INDIVIDUAL, UNLESS THE DEDUCTION IS OTHERWISE SPECIFICALLY AUTHORIZED.

Whereas, employee organizations have no inherent constitutional, nor statutory right, to deduct membership dues for any purpose by automatic payroll deductions unless specifically authorized by the General Assembly; and

Whereas, it is in the interest of this State’s citizens to ensure that government resources, including public employee time, public property or equipment, and supplies be used exclusively for activities that are essential to carrying out the necessary functions of government. Now, therefore,

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

SECTION 1. This act shall be known as the ‘Public Employer Payroll Deduction Policy Act’.

SECTION 2. Article 1, Chapter 11, Title 8 of the 1976 Code is amended by adding:

“Section 8‑11‑87. (A) Except where otherwise specifically authorized, deductions from the compensation of a public employee must not be made for dues, fees, and assessments for transmission to any public employee organization, any intermediary, or private individual.

(B) For purposes of this section, a ‘public employee’ means an employee of the state or any political subdivision thereof, including school districts.”

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

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