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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