COMMITTEE REPORT

March 13, 2014

**S. 882**

Introduced by Senator Sheheen

S. Printed 3/13/14--S. [SEC 3/14/14 3:51 PM]

Read the first time January 14, 2014.

**THE COMMITTEE ON**

**LABOR, COMMERCE AND INDUSTRY**

To whom was referred a Bill (S. 882) to amend Section 41-27-210 of the 1976 Code, relating to the definition of employment; to provide that individuals that transport vehicles for automobile dealers, 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 all after the enacting words and inserting:

/ SECTION 1. Section 41‑27‑260 of the 1976 Code is amended by adding an appropriately numbered new item to read:

“( ) 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, an automobile auction, when the contract of service contemplates that the service is to be performed personally by the individual, the individual does not own the vehicle used in connection with the performance of the service, and 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.”

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

Renumber sections to conform.

Amend title to conform.

THOMAS C. ALEXANDER for Committee.

**A** **BILL**

TO AMEND SECTION 41-27-210 OF THE 1976 CODE, RELATING TO THE DEFINITION OF EMPLOYMENT; TO PROVIDE THAT INDIVIDUALS THAT TRANSPORT VEHICLES FOR AUTOMOBILE DEALERS UNDER CERTAIN CIRCUMSTANCES ARE EXCLUDED FROM THE DEFINITION; AND TO PROVIDE FOR THOSE CIRCUMSTANCES.

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

SECTION 1. Section 41-27-210 of the 1976 Code is amended by adding:

“(12) The term ‘employment’ shall not include 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 an automobile auction, when the contract of service contemplates that the service is to be performed personally by the individual, the individual does not own the vehicle used in connection with the performance of the service, and 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.”

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

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