**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑2‑150 SO AS TO PROHIBIT THE DEPARTMENT OF REVENUE FROM GARNISHING WAGES IN AN AMOUNT MORE THAN TEN PERCENT OF A PERSON’S COMPENSATION FOR A DELINQUENT DEBT TO A PUBLIC HOSPITAL; AND TO AMEND SECTION 12‑54‑130, RELATING TO THE DEPARTMENT’S ABILITY TO GARNISH WAGES, SO AS TO MAKE A CONFORMING CHANGE.

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

SECTION 1. Chapter 2, Title 12 of the 1976 Code is amended by adding:

“Section 12‑2‑150. Notwithstanding any other provision of law, neither the department, nor any of its authorized representatives, may garnish the wages of a person for a delinquent debt to a public hospital, including ambulance transportation thereto, in an amount more than ten percent of the compensation due or payable to the person for a pay period.”

SECTION 2. Section 12‑54‑130 of the 1976 Code is amended to read:

“Section 12‑54‑130. If any person liable to pay any tax neglects or refuses to pay the same within ten days after notice and demand, the department, or its authorized representatives, may serve the person’s employer with a notice to withhold, setting forth thereon the amount to be withheld and the applicable tax period. Subject to Section 12‑2‑150, the employer shall upon service of the notice withhold twenty‑five percent of the compensation due or payable to the person for each pay period until the full amount is withheld, after which the same must be remitted to the department. Should the employment of the person terminate, the employer shall withhold the full amount of compensation due the employee, not exceeding, the amount in the notice. The employer shall at that time remit the amount so withheld and give further notice to the department of the termination of the person’s employment.”

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

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