Agency Name: Department of Labor, Licensing and Regulation

Statutory Authority: 40-1-50, 40-1-70, 40-6-50, and 40-6-60

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Subject: Fees Assessed by the Auctioneers' Commission

History: 5025

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**DEPARTMENT OF LABOR, LICENSING AND REGULATION**

CHAPTER 10

Statutory Authority: 1976 Code Sections 40‑1‑50, 40‑1‑70, 40‑6‑50, and 40‑6‑60

10‑5. Auctioneers’ Commission.

**Synopsis:**

 The South Carolina Department of Labor, Licensing and Regulation proposes to amend R.10‑5 related to fees assessed by the Auctioneers’ Commission.

 A Notice of Drafting was published in the *State Register* on October 23, 2020.

**Instructions:**

 Replace regulation as shown below. All other items and sections remain unchanged.

**Text:**

10‑5. Auctioneers’ Commission.

The Board shall charge the following fees:

 A. Auctioneers

|  |  |  |  |
| --- | --- | --- | --- |
|   | 1. | New License: | $435 (total) |
|   |   | a. | Two‑year License: | $300 |
|   |   | b. | Recovery Fund: | $100 |
|   |   | c. | Examination Fee: | To be set by the provider |
|   |   | d. | Credit Report: | $10 |
|   |   | e. | Pro‑rated amount: | $235 |
|   | 2. | Applicants for Licensure by Reciprocity: | $410 (total) |
|   |   | a. | Two‑year License: | $300 |
|   |   | b. | Recovery Fund: | $100 |
|   |   | c. | Credit Report: | $10 |
|   |   | d. | Pro‑rated amount: | $210 |
|   | 3. | Biennial Renewal: | $300 |
|   |   | a. | Late fee ‑ on or before July 31 | $25 |
|   |   | b. | Late fee ‑ after July 31 and on or before September 30 | $100 |

 B. Auction Firm

|  |  |  |  |
| --- | --- | --- | --- |
|   | 1. | New License: | $410 (total) |
|   |   | a. | Two‑Year License: | $300 |
|   |   | b. | Recovery Fund: | $100 |
|  |  | c. | Exam Fee: | To be set by the provider |
|   |   | d. | Credit Report: | $10 |
|   |   | e. | Pro‑rated amount: | $210 |
|   | 2. | Biennial Renewal: | $300 |
|   |   | a. | Late fee ‑ on or before July 31 | $25 |
|   |   | b. | Late fee ‑ after July 31 and on or before September 30 | $100 |

 C. Apprentice Auctioneer:

|  |  |  |  |
| --- | --- | --- | --- |
|   | 1. | New License: | $235 (total) |
|   |   | a. | One‑year license: | $150 |
|   |   | b. | Recovery Fund fee: | $50 |
|   |   | c. | Exam Fee: | To be set by the provider |
|   |   | d. | Credit Report: | $10 |
|   | 2. | Renewal: | $200 (may be renewed one time) |
|   |   | a. | License Fee: | $150 |
|   |   | b. | Late fee ‑ on or before July 31 | $25 |
|   |   | c. | Late fee ‑ after July 31 and on or before September 30 | $100 |
|   |   | d. | Recovery Fund Fee: | $50 |

 D. Miscellaneous Fees:

|  |  |  |  |
| --- | --- | --- | --- |
|   | 1. | Licensee List Request: | $10 |
|   | 2. | Duplicate license (wallet card): | $10 |
|   | 3. | License verification: | $5 |
|   | 4. | New license card for change of name or address: | $10 |

**Fiscal Impact Statement:**

 There will be no cost incurred by the State or any of its political subdivisions for these regulations.

**Statement of Rationale:**

 The Department has contracted with a third party testing company to offer the auctioneers’ exams for the Auctioneers’ Commission, a practice consistent among the boards administered by the Department. When the Department hosted the exam, it established a $25 fee to cover its costs. The Department is now proposing to amend the fee schedule for the Commission to allow the third party testing provider to set its fee. Additionally, exam fees for auctioneer firms were previously omitted from the schedule of fees, so the Department proposes to add firms to the fee schedule in Chapter 10. Finally, the Department proposes to correct a capitalization error in the fee schedule that is non‑substantive.