

ECONOMIC DEVELOPMENT, TRANSPORTATION, AND NATURAL RESOURCES SUBCOMMITTEE MEETING

Monday, August 13, 2018

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AGENDA

South Carolina House of Representatives



Legislative Oversight Committee

ECONOMIC DEVELOPMENT, TRANSPORTATION, AND NATURAL RESOURCES SUBCOMMITTEE

The Honorable Bruce W. Bannister, Chair

The Honorable Neal A. Collins

The Honorable Mandy Powers Norrell

The Honorable Robert L. Ridgeway III

Monday, August 13, 2018

10:00 a.m.

321 - Blatt Building

Pursuant to Committee Rule 6.8, S.C. ETV shall be allowed access for internet streaming whenever technologically feasible.

AGENDA

- I. Approval of Minutes**
- II. Discussion of the study of the Department of Revenue**
- III. Discussion of the study of the Department of Labor, Licensing, and Regulation**
- IV. Adjournment**

MINUTES FROM PREVIOUS MEETING

Chair Wm. Weston J. Newton

*First Vice-Chair:
Laurie Slade Funderburk*

Legislative Oversight Committee

*Katherine E. (Katie) Arrington
William K. (Bill) Bowers
Neal A. Collins
MaryGail K. Douglas
William M. (Bill) Hixon
Jeffrey E. (Jeff) Johnson
Robert L. Ridgeway, III
Bill Taylor
John Taliaferro (Jay) West, IV*



South Carolina House of Representatives

*Bruce W. Bannister
Gary E. Clary
Chandra E. Dillard
Phyllis J. Henderson
Joseph H. Jefferson, Jr.
Mandy Powers Norrell
Tommy M. Stringer
Edward R. Tallon, Sr.
Robert Q. Williams*

*Jennifer L. Dobson
Research Director*

*Cathy A. Greer
Administration Coordinator*

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*Charles L. Appleby, IV
Legal Counsel*

*Carmen J. McCutcheon Simon
Research Analyst/Auditor*

*Kendra H. Wilkerson
Fiscal/Research Analyst*

Economic Development, Transportation, and Natural Resources Subcommittee

Tuesday, July 10, 2018

10:00 a.m.

Blatt Room 321

Archived Video Available

- I. Pursuant to House Legislative Oversight Committee Rule 6.8, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

Attendance

- I. The Economic Development, Transportation, and Natural Resources Subcommittee meeting was called to order by Chair Bruce W. Bannister on Tuesday, July 10, 2018, in Room 108 of the Blatt Building. The following other members of the Subcommittee were present for either all or a portion of the meeting: Representative Neal Collins, Representative Mandy Powers Norrell, and Representative Robert L. Ridgeway III.

Minutes

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings. It is the practice of the Legislative Oversight Committee to provide minutes for its subcommittee meetings.

- II. Representative Ridgeway makes a motion to approve the minutes from the June 18, 2018, meeting. A roll call vote is held, and the motion passes.

Rep. Ridgeway's motion to approve the minutes from the June 18, 2018, meeting:	Yea	Nay	Not Voting
Rep. Collins			✓ (present)
Rep. Norrell			✓ (absent)
Rep. Ridgeway	✓		
Rep. Bannister	✓		

Discussion of the Department of Revenue (DOR)

- I. Chair Bannister reminds DOR representatives that have been sworn in at previous oversight meetings that they remain under oath. He then administers the oath to the following DOR employees:
- a. Sherrie McTeer, Deputy Director, Taxpayer and Business Services
 - b. Mike Sayles, Deputy Director, Security and Information Technology Services
 - c. Jason Luther, Deputy Director, Litigation
- II. Director Powell provides opening comments, and then the following DOR deputy directors testify about the divisions they lead:
- a. Meredith Cleland, Government Services
 - b. Sherrie McTeer, Taxpayer and Business Services
 - c. Mike Sayles, Security and Information Technology Services
 - d. Jason Luther, Litigation

Agency staff respond to questions from Subcommittee members during their testimony.

- III. There being no further business, the meeting is adjourned.

PART ONE:

DEPARTMENT OF REVENUE

Study Timeline: S.C. Department of Revenue	8
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STUDY TIMELINE: S.C. DEPARTMENT OF REVENUE

2017

December 19, 2017	Full committee votes to make SCDOR the next agency for the Economic Development, Natural Resources, and Transportation Subcommittee to study. Video and minutes of the meeting are available online.
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2018

January 23 – March 1, 2018	Committee solicits input from the public about the agency in the form of an online public survey . The results of the public survey are available online.
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March 1, 2018	Committee holds public input meeting (Meeting #1) about this and other agencies.
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May 31, 2018	SCDOR submits its Program Evaluation Report to the Committee.
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June 18, 2018	Subcommittee meets with agency (Meeting #2) to discuss the agency's history; legal framework; mission; vision; organizational structure; deliverables and customers; resources; relationships with other agencies; and goals.
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July 10, 2018	Subcommittee meets with agency (Meeting #3) to discuss the following agency divisions: Government Services; Taxpayer and Business Services; Security and Information Technology Services; and Litigation and Appeals
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August 13, 2018	(TODAY) Subcommittee meets with agency (Meeting #4) to discuss the following agency divisions: Policy, Privacy, & Procurement; Communications & Strategic Initiatives; Field Operations; and Administrative Services
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Ongoing	Public may submit written comments on the Oversight Committee's webpage, accessed from www.scstatehouse.gov .
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SUBCOMMITTEE FOLLOW-UP LETTER TO DOR

Chair Wm. Weston J. Newton

*First Vice-Chair:
Laurie Slade Funderburk*

*Katherine E. "Katie" Arrington
William K. "Bill" Bowers
Neal Collins
MaryGail K. Douglas
William M. "Bill" Hixon
Jeffrey E. "Jeff" Johnson
Robert L. Ridgeway, III
Edward R. Tallon Sr.
John T. "Jay" West, IV*

*Jennifer L. Dobson
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Legislative Oversight Committee



South Carolina House of Representatives

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*Kendra H. Wilkerson
Fiscal/Research Analyst*

July 18, 2018

Via Email

W. Hartley Powell, Director
South Carolina Department of Revenue
300-A Outlet Pointe Boulevard
Columbia, South Carolina 29210

RE: Follow up from Subcommittee's July 10, 2018, meeting with the agency

Dear Director Powell:

The Economic Development, Transportation, and Natural Resources Subcommittee appreciates the agency's partnership in the oversight process. As follow-up from the meeting on July 10, 2018, please respond to the following questions. Your response is requested by Thursday, August 2, 2018.

1. How many taxpayers are currently enrolled in payment plans for overdue taxes?
2. What is the maximum length of time for a payment plan?
3. What laws or regulations dictate the interest and penalties assessed on overdue taxes?
4. What is the threshold for exceptions to penalties that must be approved by the agency director?
5. What percentage of collections cases are closed within one year?
6. Are there any agencies with whom additional cooperation would benefit SCDOR efforts?
7. What portion of the agency's receivables do you anticipate being able to collect if you are allowed to participate in the Financial Institution Data Match (FIDM) program?
8. Which state revenue agencies participate in the FIDM program?

Thank you for your service to the citizens of South Carolina and for your continued cooperation with the legislative oversight process. We look forward to continuing our discussion of the Department of Revenue at the next Subcommittee meeting on August 13, 2018.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Bannister".

Bruce W. Bannister
Subcommittee Chair

cc: Economic Development, Transportation, and Natural Resources Subcommittee Members

State of South Carolina
Department of Revenue

DOR RESPONSE TO
FOLLOW-UP LETTER

HENRY D. MCMASTER
Governor



W. HARTLEY POWELL
Director

300A OUTLET POINTE BOULEVARD
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COLUMBIA, SOUTH CAROLINA 29214
Telephone: (803) 898-5040
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Director@dor.sc.gov

July 31, 2018

The Honorable Bruce W. Bannister
Subcommittee Chairman, House Legislative Oversight Committee
Post Office Box 11867
Columbia, SC 29211

Dear Chairman Bannister:

I received your letter of July 18, 2018 requesting a follow-up response to questions resulting from the Department of Revenue's hearing on July 10, 2018. The Department of Revenue is committed to the legislative oversight process, and please find below the requested information.

1. How many taxpayers are currently enrolled in payment plans for overdue taxes?

Currently, there are 16,551 active enrollees participating in SCDOR's payment plan for overdue taxes.

2. What is the maximum length of time for a payment plan?

The maximum length of time for a payment plan for individuals and businesses is 48 months and 18 months, respectively. SCDOR's payment plans guidelines are as follows:

<u>Individuals</u>		<u>Businesses</u>	
Balance Owed	Payment Terms	Balance Owed	Payment Terms
0 to \$999	12 months or less	All balances	18 months or less
\$1,000 to \$4,999	24 months or less		
\$5,000 to \$9,999	36 months or less		
10,000 and above	48 months or less		

3. What laws or regulations dictate the interest and penalties assessed on overdue taxes?

Title 12, Chapter 54, provides the majority of provisions related to tax penalties as follows:

- 12-54-25: Interest due on late taxes, applicable interest rate;
- 12-54-43: Civil penalties and damages applicable to return or statement filing with Department;
- 12-54-44: Criminal penalties applicable to return or statement filing with Department; and
- 12-54-155: Substantial understatement of tax.

4. What is the threshold for exceptions to penalties that must be approved by the agency director?

In 2008, the Department of Revenue issued SC Revenue Procedure #08-6, outlining the Department's guidelines for waiving penalties. Please see below a summary of the director's approval threshold to waive penalties.

Director Approval Threshold

Penalty Type	Authorized Amount(\$)
General Tax	Above \$50,000
Property Tax	Above \$250,000
Civil Fraud	\$0.01 - above

5. What percentage of collections cases are closed within one year?

In the last 12 months, 34% of collection cases were closed.

6. Are there any agencies with whom additional cooperation would benefit SCDOR efforts?

I am not aware of any agencies with whom additional cooperation would benefit SCDOR efforts.

7. What portion of the agency's receivables do you anticipate being able to collect if you are allowed to participate in the Financial Institution Data Match (FIDM) program?

Currently, there is \$701 Million of debt owed to South Carolina without a levy source.

SCDOR anticipates collecting approximately \$105 Million in revenue. This estimate is based on a 30% taxpayer data match rate between SCDOR and financial institutions as well as a 50% funds match rate based on the financial assets of the debtor.

8. Which state revenue agencies participate in the FIDM program?

The following sixteen state revenue agencies currently participate in the FIDM program: Arizona, California, Florida, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, New Jersey, New York, North Carolina, Utah, Washington, and Wisconsin.

Also, the South Carolina Department of Social Services currently participates in the FIDM program to collect child support obligations. Please see South Carolina Code Section 63-17-2320 for legislative authority.

If you have questions or need further information, please let me know.

Sincerely,



W. Hartley Powell
Director

SCDOR STRATEGIC PLAN

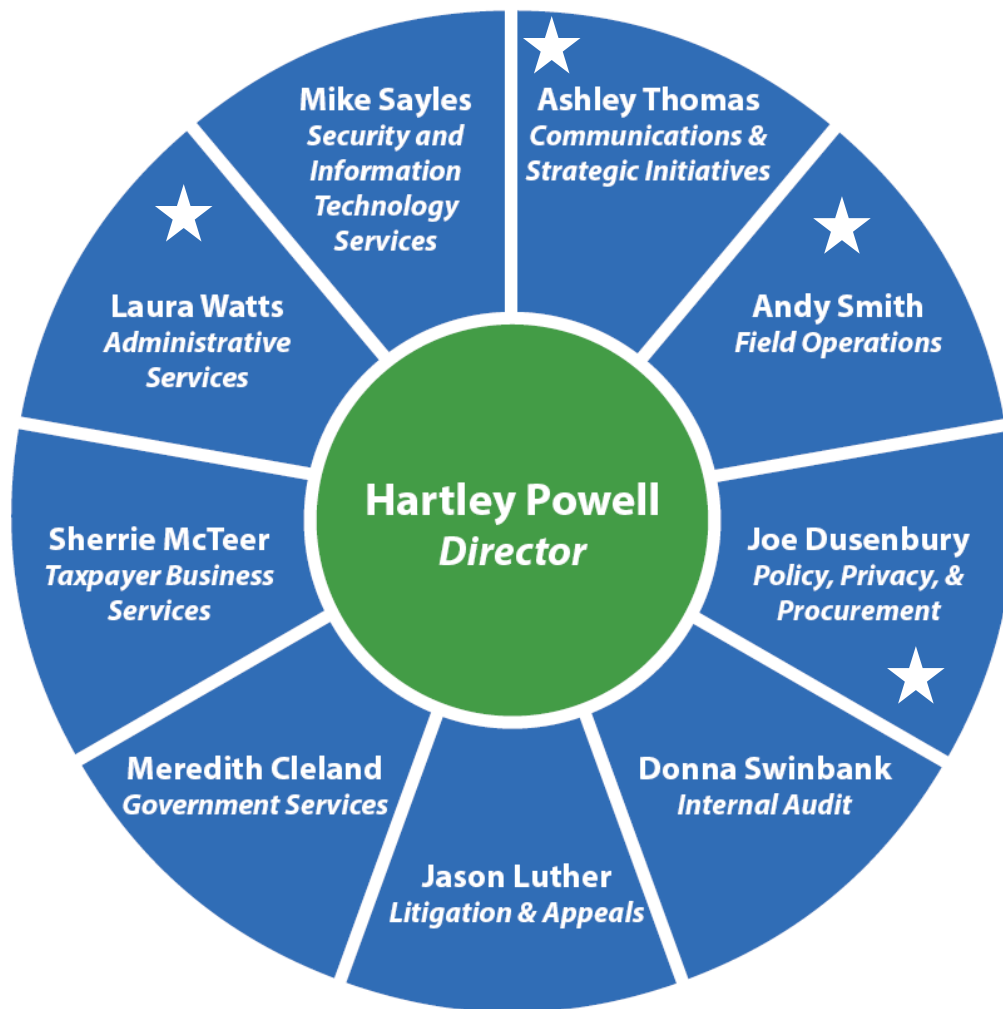
		# of FTEs Utilized	Amount Spent/ Budgeted	% of Total Budget
Goal 1 - Fairly administer and enforce the revenue and regulatory laws of the State of South Carolina.	FY17	525	\$59,271,933	59%
	FY18	535	\$71,014,994	73%
Strategy 1.1 - Increase tax compliance of all taxpayers.	FY17	490	\$55,672,510	56%
	FY18	500	\$62,476,715	65%
Objectives: 1.1.1 - Collect tax revenue in support of the State's General Fund. 1.1.2 - Reduce debt owed to South Carolina organizations and governmental entities by expanding external stakeholder partnerships. 1.1.3 - Ensure equity across South Carolina taxpayers by pursuing non-compliant taxpayers through fair identification, audit, and litigation. 1.1.4 - Increase taxpayer awareness and compliance through outreach and by simplifying filing and payment methods.				
Strategy 1.2 - Protect taxpayers and State revenues by enhancing fraud prevention & detection.	FY17	20	\$2,110,845	2%
	FY18	20	\$3,538,279	4%
Objectives: 1.2.1 - Increase the prevention rate of fraudulent tax refunds distributed. 1.2.2 - Increase employee and public awareness of personal protection strategies to prevent fraud.				
Strategy 1.3 - Consolidate SCDOR's multiple tax processing systems into one efficient system, known as DORWay.	FY17	15	\$1,488,578	1%
	FY18	15	\$5,000,000	5%
Objectives: 1.3.1 - Monitor and refine the taxes transitioned to DORWay in Phase I (FY15) and Phase II (FY16). 1.3.2 - Prepare for and implement Phase III of DORWay, scheduled for rollout in September of 2017. 1.3.3 - Prepare for Phase IV of DORWay, scheduled for rollout in September of 2018.				

		# of FTEs Utilized	Amount Spent/ Budgeted	% of Total Budget
Goal 2 – Ensure taxpayer security by utilizing state-of-the-art technology.	FY17	37	\$15,034,219	15%
	FY18	37	\$13,034,625	13%
Strategy 2.1 - Cultivate an increasingly mature security governance Program.	FY17	5	\$1,926,359	2%
	FY18	5	\$2,000,000	2%
Objectives: 2.1.1 - Achieve satisfactory results from each external regulatory body performing a security assessment or audit. 2.1.2 - Increase employee knowledge by providing in-class and e-learning training opportunities regarding security and disclosure. 2.1.3 - Perform oversight of partners and vendors.				
Strategy 2.2 - Increase efficiency and security by effectively utilizing state-of-the-art security technology and processes.	FY17	30	\$6,321,544	6%
	FY18	30	\$6,495,000	7%
Objectives: 2.2.1 - Ensure security resources (appliances, hardware, software, etc) are fully leveraged. 2.2.2 - Provide flexibility to Agency business operations by streamlining security processes. 2.2.3 - Increase taxpayer customer service by reducing the "time to market" for new products and services. 2.2.4 - Maintain and enhance employee and stakeholder safety in the workplace.				
Strategy 2.3 - Increase security by consolidating multiple antiquated tax processing systems through the implementation of DORWay.	FY17	2	\$6,786,316	7%
	FY18	2	\$4,539,625	5%
Objectives: 2.3.1 - Conduct a Risk Assessment of DORWay, Phase III, and achieve a score of 95% or greater. 2.3.2 - Complete an Application Security Scan of MyDORWay (online taxpayer portal). 2.3.3 - Complete an access review of DORWay users.				

		# of FTEs Utilized	Amount Spent/ Budgeted	% of Total Budget
Goal 3 – Maintain a positive customer service experience for all stakeholders.	FY17	101	\$6,823,448	7%
	FY18	111	\$6,910,000	7%
Strategy 3.1 - Increase taxpayer satisfaction by enhancing how the Agency interfaces with customers.	FY17	50	\$2,326,291	2%
	FY18	50	\$2,350,000	2%
Objectives: 3.1.1 - Maintain a positive customer satisfaction score as reported through an independent third party surveyor. 3.1.2 - Enhance the customer service experience for stakeholders who utilize the Agency's public facing teams (i.e., Call Center, TAO, etc.). 3.1.3 - Increase employee knowledge by providing in-class and e-learning training opportunities regarding Phase III of DORWay.				
Strategy 3.2 - Streamline tax processing to ensure effective, accurate, and timely service for all taxpayers.	FY17	44	\$3,694,291	4%
	FY18	54	\$3,750,000	4%
Objectives: 3.2.1 - Increase the % of total tax returns received electronically. 3.2.2 - Increase taxpayer usage of the MYDORWay portal. 3.2.3 - Increase tax payments and license fees received electronically.				
Strategy 3.3. - Increase customer satisfaction by offering assistance through the interpretation & dissemination of tax law.	FY17	7	\$802,866	1%
	FY18	7	\$810,000	1%
Objectives: 3.3.1 - Offer formal and informal legal interpretation of tax laws to advocate taxpayer compliance. 3.3.2 - Increase customer satisfaction by disseminating information to taxpayers to advocate tax compliance.				

		# of FTEs Utilized	Amount Spent/ Budgeted	% of Total Budget
Goal 4 – Promote and maintain a competent, productive, and diverse workforce.	FY17	16	\$1,168,154	1%
	FY18	21	\$1,185,000	1%
Strategy 4.1 - Recruit and develop a competent, productive, and diverse workforce.	FY17	9	\$712,892	0.7%
	FY18	12	\$725,000	0.7%
Objectives: 4.1.1 - Recruit and hire candidates that meet or exceed the minimum qualifications to ensure Agency needs are met and sustained. 4.1.2 - Increase employee knowledge by providing in-class, e-learning, and mentoring training opportunities. 4.1.3 - Support employee advancement through the attainment of relevant industry credentials. 4.1.4 - Continuously review and enhance succession planning efforts.				
Strategy 4.2 - Value and retain a competent, productive, and diverse workforce.	FY17	7	\$455,262	0.5%
	FY18	9	\$460,000	0.5%
Objectives: 4.2.1 - Increase the % of employee evaluations (EPMS) completed by the due date. 4.2.2 - Enhance the Agency's competitiveness in the marketplace by conducting salary studies. 4.2.3 - Promote employee participation in health, wellness, and community outreach opportunities. 4.2.4 - Meet or exceed State diversity goals.				

SCDOR ORGANIZATIONAL STRUCTURE



*Figure 1. SCDOR divisions, as provided by SCDOR on June 15, 2018.
Divisions to be discussed on August 13, 2018 are indicated with a star.*

Table 2. SCDOR organizational units, as reported by the agency in its PER.

Organizational Unit	Divisions Included	Year	Turnover rate in the org unit	Employee satisfaction tracked?	Anonymous feedback allowed?	Did any of the jobs in the org unit require a certification?	If yes, did the agency pay for or provide education requirements for certification?
I. Administrative and Program Support	<ul style="list-style-type: none"> Internal Audit Security (<i>partial division</i>) Communications and Strategic Initiatives 	2014-15:	7.69%	✓	✓	No	
		2015-16:	0.00%	✓	✓	No	
		2016-17:	6.67%	No	No	No	
II.A Support Services	<ul style="list-style-type: none"> Administrative Services Information Technology Services (<i>partial division</i>) 	2014-15:	23.53%	✓	✓	✓	✓
		2015-16:	17.76%	✓	✓	✓	✓
		2016-17:	8.40%	No	No	✓	✓
II. B Revenue and Regulatory	<ul style="list-style-type: none"> Field Operations Taxpayer & Business Services Government Services Litigation and Appeals 	2014-15:	12.42%	✓	✓	✓	✓
		2015-16:	10.90%	✓	✓	✓	✓
		2016-17:	14.34%	No	No	✓	✓
II.C Legal, Policy and Legislation	<ul style="list-style-type: none"> Policy, Privacy, and Procurement 	2014-15:	0.00%	✓	✓	✓	✓
		2015-16:	0.00%	✓	✓	✓	✓
		2016-17:	37.50%	No	No	✓	✓

FIELD OPERATIONS DIVISION

Deputy Director

Andy Smith

Number of Employees

117 FTEs

Related Goals

- 1 Fairly administer and enforce the revenue and regulatory laws of the State of South Carolina.
- 3 Maintain a positive customer service experience for all stakeholders.

Related Deliverables

Deliverable numbers correspond to the deliverables chart in the agency's PER. See Table 3 for details on each deliverable.

1	Administer a License or Issue a Certificate to Operate a Place of Business or Sell a Specific Product
	<ul style="list-style-type: none">• Bingo• Alcohol wholesalers• Alcohol retailers• Alcohol on-premise consumption
63	Administer, Enforce, and/or Collect Taxes and Fees
230	Assist the Catawba Indian Tribe with the Administration of Taxes
238	Collect a Tax/Fee and Remit Revenue to the State's General Fund
255	Collect a Tax/Fee and Remit Revenue to a State or Local Governmental Entity or Non-Governmental Entity
317	Determine and Issue a Refund to a Taxpayer
322	Support State Government
341	Establish Procedures for Disagreements
354	Evaluate and Adjust Tax Rates
367	Perform Audit Functions and Compliance Inspections to Promote Tax Compliance
372	Provide a Report
383	Regulate Reporting of Taxpayers

Table 3. Applicable laws for the Field Operations Division's deliverables, as provided by SCDOR in its PER (emphasis added).

# from PER	Applicable Law	Summary of Requirement
1	Administer a License or Issue a Certificate to Operate a Place of Business or Sell a Specific Product	
4	12-21-3940(A)(1)	SCDOR will make the determination if an organization is qualified to hold a bingo license .
5	12-21-3950(B)	SCDOR has forty-five days to approve or reject a bingo application based on the requirements.
6	12-21-4000 (12)(b)	Excess proceeds tax must be remitted to SCDOR. If promoter or organization fail to remit, SCDOR shall suspend both licenses.
7	12-21-4240	SCDOR will license all organizations, promoters, manufacturers and distributors of bingo paper . SCDOR is required to collect annual license fee of five thousand dollars for manufacturers and two thousand dollars for distributors.
8	12-21-4270	Each licensee may obtain cards approved by SCDOR by making application and remitting sixteen and one-half percent of the total face value of the cards purchased. Upon receipt of tax paid SCDOR shall notify a licensed distributor to release the face value of cards requested. SCDOR is required to set forth procedures to ensure cross-checking between manufacturers and distributors and organizations.
11	61-2-20	SCDOR is vested with the power to administer Title 61.
12	61-2-70	SCDOR shall issue all licenses, permits and certificates provided for in this title.
13	61-2-80	SCDOR is empowered to regulate the operation of all retail locations authorized to sell beer, wine or alcoholic liquor . SCDOR is authorized to establish conditions or restrictions on issuing or renewing a license or permit.
14	61-2-100 (B)	SCDOR shall initiate action to revoke any permit or license that is issued to any person who is not the owner or when the licensed individual or an individual principal is under twenty-one years of age .
15	61-2-136	SCDOR shall transfer the permit of a currently licensed beer and wine wholesaler or currently licensed alcoholic liquor wholesaler upon notice in writing of the new location.
16	61-2-145(B)	SCDOR must require all applications for biennial permits to sell alcohol for on premise consumption to include the requirement to maintain a liquor liability insurance policy.
17	61-2-145(C)	SCDOR must prescribe the manner permittees should notify SCDOR of the status of the insurance policy .
18	61-2-160	SCDOR shall notify an applicant of a license or permit under Title 61 of the necessary requirements to comply if SCDOR determines that delinquent taxes, penalties, or interest are due.
19	61-2-185 (B)	SCDOR must promulgate the application process for nonprofit organizations . SCDOR must deny any application that does not contain the information required.
20	61-4-310(A)	SCDOR must prescribe forms for a certificate of registration.
21	61-4-310 (B)	SCDOR in its discretion must issue or reject the application for a certificate of registration.
22	61-4-520(7)(a)	SCDOR shall determine which newspapers meet the requirements of a newspaper most likely to serve notice to interested citizens in the case of application to sell beer or wine.

# from PER	Applicable Law	Summary of Requirement
23	61-4-525 (C)	SCDOR shall continue to process an application and issue the permit to sell beer or wine if a protestant has no desire to attend a hearing.
24	61-4-1515(A)(9)	SCDOR must maintain Brewery Insurance information.
25	61-4-1515(C)	SCDOR must terminate a brewery permit and license if the brewery operations cease.
26	61-4-1515(F)	SCDOR must waive newspaper notice and sign posting requirements for brewpubs applying for a brewery permit.
27	61-4-1515 (G)	Breweries who have subsequent violations within a three year period must have their permit suspended by SCDOR for not less than thirty days. Revenue generated from violation fines must be transferred to State Law Enforcement Division (SLED).
28	61-4-1920 (B)	SCDOR shall prescribe the forms and ID tags for beer kegs provided to retail licensees.
29	61-6-100	SCDOR has the exclusive power to suspend and revoke all licenses.
30	61-6-120	SCDOR shall not issue a license to any place of business not meeting the proximity requirements to a school, church or playground .
31	61-6-180(A)	SCDOR must determine which newspapers meet the advertising requirements.
32	61-6-185(B)	SCDOR shall determine a protestant's intent to attend a contested case hearing before the Administrative Law Court.
33	61-6-185 (C)	SCDOR shall continue to process the application if protestant has no desire to attend contested case hearing.
34	61-6-190	SCDOR shall not issue any license until the applicant has paid the license tax .
35	61-6-195	SCDOR shall not issue or renew a license until the applicant certifies that no alcoholic liquors were purchased from a person who does not hold a wholesaler's license .
36	61-6-700	SCDOR must provide the form and conditions for the licensing of establishments using alcoholic beverages in the preparation of food . A person violating this provision must be fined five hundred dollars and other licenses held must be revoked.
37	61-6-720	SCDOR must establish the form of the application for the special baking food manufacturer's license . SCDOR must revoke this license of any operator permitting the consumption of alcoholic liquor as a beverage.
38	61-6-900	SCDOR must refund any portion of a license not used to a personal representative if the business is not continued after a licensee's death .
39	61-6-910	SCDOR must refuse to issue any license to an applicant not a suitable person, business is not suitable or a sufficient number of licenses have already been issued.
40	61-6-930	SCDOR must revoke the license of a wholesaler if there is a direct or indirect interest in a retail store by the wholesaler.
41	61-6-940	SCDOR must revoke a retail license to sell alcoholic liquors if the licensee is indebted to a wholesaler except for current purchases not past due.
42	61-6-1530(1)	SCDOR must prescribe the size and location of the sign prohibiting the possession of alcohol by a person under twenty-one .
43	61-6-1530(2)	SCDOR must prescribe the size and location of the sign related to the restrictions of transporting of alcohol .
44	61-6-1530(3)	SCDOR must prescribe the size and location of the sign related to the unlawful purchase of alcoholic liquors by one retail dealer from another dealer.

# <i>from PER</i>	Applicable Law	Summary of Requirement
45	61-6-1610(H)	SCDOR shall suspend the license of an establishment not meeting the Grade A level after thirty day notice.
46	61-6-1810(A)	SCDOR has exclusive authority in issuing, renewing, suspending or revoking licenses.
47	61-6-1820(4)	SCDOR shall determine which newspapers meet the advertising requirement.
48	61-6-1820(8)	SCDOR must not issue a permanent license until interested parties have been given opportunity to be heard.
49	61-6-1825(B)	SCDOR must determine a protestant's intent to attend a contested case hearing . If the protestant intends to attend the hearing, SCDOR must not issue the license but must forward the file to the Administrative Law Court.
50	61-6-1825 (C)	SCDOR must continue the application process if the protestant is not attending the contested case hearing .
51	61-6-2000(A)	SCDOR shall charge a nonrefundable fee of thirty-five dollars for temporary permits .
52	61-6-2000(B)	SCDOR shall require the applicant to obtain a criminal background check within ninety days of an application for a temporary permit. SCDOR shall deny the application if the criminal background check is not submitted or obtained more than ninety days prior to the application.
53	61-6-2000 (C)	SCDOR shall require an applicant to complete the law enforcement notification . The law enforcement notification shall be prepared by SCDOR for inclusion in the application.
54	61-6-2360	SCDOR shall promulgate regulations to implement the regulation of alcoholic liquors .
55	61-6-2610	SCDOR shall impose a penalty of twenty dollars per container of alcoholic liquors in possession of a person, corporation or organization in violation of any provision of the ABC Act.
56	61-6-2840	SCDOR must prescribe the forms for a certificate of registration for the shipment of alcoholic liquors by a producer to a point within this state.
57	61-6-2850	SCDOR must develop forms for a certificate of registration for each brand of alcoholic liquors intended to be shipped to a point within this state .
58	61-6-2870	SCDOR must provide appropriate forms for application for a certificate of registration as a producer representative .
59	61-6-2890(A)	SCDOR shall prescribe forms for a license to operate as a warehouse .
60	61-6-2900	SCDOR shall prescribe forms for a food manufacturer or producer representative to ship alcoholic liquors .
61	Regulation - 117-1200.3	SCDOR must prescribe forms for the reporting of the number of cases of alcoholic liquors sold during the preceding month.
62	Regulation - 117-1250.1	SCDOR must prescribe forms for the reporting by wholesale beer and wine dealers of purchases or exchange of their products with other wholesale dealers.
63	Administer, Enforce, and/or Collect Taxes and Fees	
76	12-4-10	SCDOR must administer and enforce SC revenue laws, licensing and regulation of alcoholic liquors, beer and wine, and assess penalties for violations, and other laws specifically assigned.
91	12-6-5590(E)	SCDOR shall examine the substance and donative intent, rather than merely the form, of contributions qualifying as a qualified conservation contribution .

# <i>from PER</i>	Applicable Law	Summary of Requirement
96	12-21-735 (E)	SCDOR shall prescribe, prepare and furnish stamps for the payment of the cigarette tax . SCDOR shall also cause to be prepared stamps that indicate that a package of cigarettes is exempt.
97	12-21-735 (E)(2)	SCDOR shall designate the type of stamps to be applied.
99	12-21-735 (H)(2)	SCDOR shall provide a method of purchasing stamps.
102	12-21-2742	SCDOR must seize and confiscate any unlicensed equipment and then SCDOR must sell equipment at public auction.
103	12-21-2744	Owners of property seized by SCDOR may file a cash bond within five days of the seizure. Within ten days, the equipment owner must bring legal action to have seizure set aside; otherwise SCDOR must declare the bond filed forfeited.
104	12-21-3940 (A)	SCDOR shall prescribe application forms for a bingo license .
105	12-21-4220	SCDOR shall set the design and requirements of all bingo cards .
106	12-21-4230	SCDOR must set all bond amounts for all organizations, promoters, manufacturers and distributors of bingo cards .
110	12-28-970 (A)	SCDOR must establish procedures regarding backup user fees related to motor fuel .
111	12-28-995	SCDOR shall establish conditions for payment of tax on motor fuel removed from a bulk plant and imported by a tank wagon and delivered to a South Carolina destination less than twenty five miles from the border of this state.
112	12-28-1730(F)	SCDOR shall impose a civil penalty in the amount of one thousand dollars or ten dollars for each gallon of dyed fuel used to operate a vehicle on the highways of this state.
119	12-36-2660	SCDOR shall administer and enforce the provisions of Chapter 36, Title 12.
133	12-60-410	SCDOR shall assess all state taxes, interest, additions to taxes, and penalties. Also, SCDOR shall furnish a copy of an assessment to the taxpayer upon request.
134	12-60-1330 (A)(3)	SCDOR shall deny, suspend, cancel, or revoke the license if a person fails to file a protest with SCDOR within ninety days.
137	16-17-503(A)	SCDOR Director shall provide for the enforcement of 16-17-500 and 16-17-502 dealing with unlawful use of cigarettes and alternative nicotine products and shall conduct random, unannounced inspections of locations to determine compliance. SCDOR shall designate an enforcement officer to conduct annual inspections.
139	23-51-60 (G)	Cigarettes seized by law enforcement or the State Fire Marshal under the Ignition Propensity Standards must be turned over to SCDOR and forfeited to the State.
140	38-55-570(C)	SCDOR shall report but not adjudicate all cases of suspected false statements to the Insurance Fraud Division of the Office of Attorney General.
141	44-56-405	SCDOR shall collect and enforce payment of surcharges and fees which constitute the Dry cleaning Facility Restoration Trust Fund
156	61-6-4310	Alcoholic liquors seized by SCDOR must be sold at public auction.
164	Regulation - 117-1600.1	SCDOR must prescribe forms for reporting of sales of cigarettes .
165	Regulation - 117-1600.2 (a)	SCDOR shall develop and order forms for cigarette stamps .
166	Regulation - 117-1600.2(d)	SCDOR shall develop forms for purchase of exempt stamps .

# <i>from PER</i>	Applicable Law	Summary of Requirement
167	Regulation - 117-1600.2(d)(2)	SCDOR shall develop procedures related to tamper-evident features of stamps .
168	Regulation - 117-1600.3(6)	SCDOR shall develop forms and processes for authorizing refunds .
169	Regulation - 117-1600.5(B)	SCDOR must develop and advise of storage requirements. SCDOR must approve staging areas.
230	Assist the Catawba Indian Tribe with the Administration of Taxes	
231	27-16-110(B)(2)	Requires that SCDOR regulate Catawba Indian Bingo games and issue Special Catawba Bingo license.
232	27-16-110 (E)	SCDOR has the authority to administer, and regulate all bingo games sponsored by the tribe . SCDOR has the authority to suspend or revoke the Tribe's bingo license. SCDOR shall notify the Tribe of violations and provide the Tribe with an opportunity to correct the violations before its license may be revoked.
233	27-16-130(D)(4)	If the Tribe chooses to assess a tribal real property tax , SCDOR shall provide necessary assistance.
234	27-16-130(F)(1)	A political subdivision may certify the deficiency of payment of property taxes to the State and the State shall levy against other taxable property of the taxpayer in the State and remit the proceeds to the appropriate taxing authority.
238	Collect a Tax/Fee and Remit Revenue to the State's General Fund	
239	12-4-377	SCDOR must maintain adequate records accounting for the receipt of funds from the sale of confiscated alcoholic beverages . This revenue shall be deposited to the General Fund after deducting costs.
252	61-6-505(D)	SCDOR shall collect a fee of twenty-five dollars for each temporary license sought.
253	61-6-2005	SCDOR shall collect a fee of twenty-five dollars for each temporary one hundred twenty day license.
255	Collect a Tax/Fee and Remit Revenue to a State or Local Governmental Entity or Non-Governmental Entity	
268	12-21-2720 (E)	SCDOR shall collect increased fees on Class 2 coin-operated machines for purposes of funding South Carolina Law Enforcement Division (SLED) operations, and these funds are sent to SLED to offset the cost of video gaming enforcement.
269	12-21-4190(A)	SCDOR shall charge and retain ten cents for each dollar of face value of each bingo card sold for AA,B,D and E licenses and four cents for each dollar of face value of each bingo card for a C license. SCDOR shall charge and retain five cents for each dollar of face value for an F license.
270	12-21-4190(B)(1)	SCDOR must make the revenue distribution back to the charity for which the bingo cards were purchased . This distribution must be made by the last day of the next month following the month the revenue was collected. These amounts must be reduced by any delinquent debts as defined in the Setoff Debt Collection Act.
271	12-21-4190 (C)	Revenue derived from Class F licenses shall be distributed pursuant to Section 12-21-4200.
272	12-21-4200	SCDOR shall deposit with the State Treasurer the first nine hundred forty-eight thousand dollars collected from bingo revenue in twelve equal amounts into an account called " Division on Aging Senior Citizens Centers Permanent Improvement Fund ".

# <i>from PER</i>	Applicable Law	Summary of Requirement
273	12-21-4200 (1)	SCDOR shall deposit with the State Treasurer seven and five one-hundredths percent of bingo revenue to be credited to the account of the Division on Aging but in no case shall the amount be less than six hundred thousand dollars.
274	12-21-4200 (3)	SCDOR shall deposit with the State Treasurer seventy-two and fifteen one-hundredths percent of bingo revenue to the general fund, except that the first one hundred thirty-one thousand must be transferred to the Commission on Minority Affairs .
281	12-28-2355(C)	Petroleum Inspection Fees as described in SC Code Sec. 12-28-2355 (A) are collected by SCDOR and remitted to the State Non-Federal Aid Highway Fund at Department of Transportation .
294	27-16-110 (C)(3)	SCDOR shall collect all revenues derived from the special tribal bingo tax .
308	61-2-105	SCDOR shall collect increased application and license fees for purposes of funding SLED operations and shall allocate these fees to SLED as soon as practicable.
309	61-6-2010	SCDOR shall charge a nonrefundable filing fee of one hundred dollars for processing each temporary permit application and a daily permit fee of fifty dollars for each day a temporary permit is approved. SCDOR must also offer the option of an annual fifty-two week temporary permit for a nonrefundable fee of three thousand dollars per year. SCDOR in its sole discretion shall specify the terms and conditions of the permit.
317	Determine and Issue a Refund to a Taxpayer	
318	12-21-4210	SCDOR shall make refunds on all returned bingo paper . If an organization ceases operation SCDOR shall accept returned paper and credit the value of returned paper.
322	Support State Government	
323	3-11-400(C)(3)(b)(iii)	SCDOR must make the information reported from gambling vessels available on a quarterly basis to: the county or municipality from which the gambling vessel originates, the general public, the Governor, President Pro Tempore of the Senate and the Speaker of the House.
328	12-28-2740 (A)(3)	SCDOR shall collect information regarding the number of gallons of gasoline sold in each county for use in making allocations of donor funds. SCDOR shall submit the percentage of the total represented by each county to the Department of Transportation.
331	46-1-160 (B)(1)	SCDOR shall assist the Department of Agriculture in the administration of the grant program by providing auditing services, accounting services, and review and oversight of all financial aspects of the grant program.
333	61-6-4250	SCDOR shall develop forms for clerks of court to provide the names of persons convicted for any violation under Article 13. SCDOR shall forward to the Department of Public Safety a certified copy of the record upon receipt.
341	Establish Procedures for Disagreements	
342	12-60-420(A)	In a division decision or a proposed assessment SCDOR must explain the basis for the division decision or proposed assessment and state the assessment will be made or the decision will be final unless the taxpayer protests.
343	12-60-420(B)	SCDOR shall make available forms which taxpayers may use to protest a division decision or a proposed assessment .

# <i>from PER</i>	Applicable Law	Summary of Requirement
344	12-60-510(A)(2)	SCDOR must issue an assessment for taxes if a taxpayer fails to file a protest with SCDOR within ninety days.
354	Evaluate and Adjust Tax Rates	
355	11-47-20(j)	SCDOR shall ascertain the amount of State excise tax paid on cigarettes sold within South Carolina.
367	Perform Audit Functions and Compliance Inspections to Promote Tax Compliance	
368	12-4-387	SCDOR shall use available personnel to conduct audits involving all taxes to help promote voluntary compliance and collect revenues for the general fund.
369	12-10-80(A)(11)	SCDOR shall audit each qualifying business with claims in excess of ten thousand dollars in a calendar year at least once every three years to verify proper sources and uses of the funds. SCDOR shall impose a penalty for all reports filed after June thirtieth or the approved extension date.
370	12-10-95(l)(2)	SCDOR must audit any business that claimed the job retraining credit every three years solely for the purpose of verifying proper sources and uses of the credit.
371	23-51-70 (B)	SCDOR in the regular course of business may inspect cigarette packages for ignition propensity marking. If cigarettes are not marked as required SCDOR shall notify the State Fire Marshal.
372	Provide a Report	
377	12-21-735(J)	SCDOR must report by March fifteenth of each year to Senate Finance and House Ways and Means the costs associated with the operation of the cigarette tax stamp program .
383	Regulate Reporting of Taxpayers	
384	3-11-400(C)(3)(b)(i)	SCDOR must develop the form and format to report the average daily percentage of winnings to losses by gambling vessels . SCDOR must perform an annual audit to verify the accuracy of the reports.
385	6-1-825	SCDOR shall identify websites containing ' rent by owner ' vacation rental opportunities and request them to post a statement on the website that the owner of South Carolina rental properties is required to be licensed and to collect applicable local and state fees and taxes
386	12-28-1400	SCDOR must provide the manner in which information related to motor fuel user fees should be submitted and must use all of the information reported to track petroleum products.
387	58-9-2630(D)	SCDOR shall require an annual report of all communications service providers .




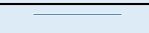

Note:

SCDOR reported that all of its deliverables are required by law, and that for every one, it:

- Evaluates the outcome obtained by customers/individuals who receive the service or product;
- Knows the number of potential and actual customers served annually;
- Evaluates customer satisfaction; and
- Knows the cost it incurs per unit to provide the service or product.

Related Performance Measures

Table 4. Performance Measures for the Field Operations Division, as reported by SCDOR in its PER.

Performance Measure	Type of Measure:	Required or Selected?	Time Period		Time Period 1	Time Period 2	Time Period 3	Time Period 4	Time Period 5 (most recently completed)	Time Period 6 (current time period)
Number of NEXUS registrations.	Output Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	200	200	DNE
				Actual:	287	DNE	DNE	273	118	
Number tax audits completed.	Output Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	45,000	45,000	DNE
				Actual:	DNE	DNE	DNE	45,638	43,056	
Dollars assessed by SCDOR's audit services (dollars in millions)	Output Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	\$172	\$172	DNE
				Actual:	DNE	DNE	DNE	\$172	\$288	
Percent of new employees fingerprinted and background checked.	Efficiency Measure	Federal government	July - June	Target:	DNE	DNE	100%	100%	100%	100%
				Actual:	DNE	DNE	100%	100%	100%	
Percentage increase in knowledge resulting from SCDOR's Audit Mentor Program.	Efficiency Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	20%	20%	52%
				Actual:	DNE	DNE	DNE	33%	52%	

Related Law Recommendations – Field Operations Division

Provided by SCDOR in its PER.

3. Alcohol Beverage Modernization – Festivals
4. Alcohol Beverage Modernization – Liability Coverage for Governmental Entities
5. Alcohol Beverage Modernization – Penalties

3. Alcohol Beverage Modernization- Festivals

Summary of Current Law:

The current law does not allow for SCDOR to issue permits and licenses for the sale of liquor by the drink at a festival, for multiple locations and multiple days, through one application.

Recommendation:

Add new language to streamline the process whereby festivals can serve alcohol.

Other agencies that may be impacted:

South Carolina Law Enforcement Division

Draft Language:

Chapter 6, Title 61 of the 1976 Code is amended by adding:

SECTION 1. Section 61-6-2017. (A) This section authorizes the department to issue a festival liquor by the drink license, not to exceed a period of five days that can be used on any day of the week subject to the requirements of Section 61-6-2010(C) and (D), to an applicant that meets the following requirements:

(1) the festival must have a total beneficial economic impact in an amount exceeding one million dollars to the immediate community in which the festival is held, which may be based on economic information from previous years;

(2) the festival, on a daily basis, must be bona fide engaged primarily and substantially in the preparation and serving of meals as defined in Section 61-6-20(2);

(3) the festival must have a projected attendance of at least thirty thousand people during the time the festival is held, and past attendance may be considered;

(4) the festival has engaged and continues to engage in tourism promotion;

(5) the festival is held in a defined premises that is separate and apart from other areas, and is enclosed by a fence or other type of enclosure for the duration of the festival with a controlled, restricted access;

(6) the festival applicant shall establish a procedure that requires sufficient identification to determine that individuals who have paid for entrance to the festival and who are purchasing alcoholic beverages meet the age requirements to consume alcohol and further requires those individuals purchasing alcoholic beverages maintain in their possession a personal identifier that is easily identified by a server of alcoholic beverages, as well as requiring that alcoholic beverages are

served in beverage containers that are distinct in color or design from the beverage containers used to serve nonalcoholic beverages; and

(7) the festival shall employ a security service licensed by the State Law Enforcement Division.

(B) Except as otherwise provided in this subsection, a festival liquor by the drink license shall be issued to a qualifying applicant only once a year. If, after a license has been issued, the festival is not held, the festival organizer or holder of the festival liquor by the drink license must notify the department within forty-eight hours of the decision to not hold the festival and return the license to the department and may apply for another festival liquor by the drink license in the same year.

(C) The department shall charge a nonrefundable filing fee of thirty-five dollars for processing an application for a festival liquor by the drink license. Applications for the festival liquor by the drink license must also be accompanied by the license fee of three thousand dollars payable to the department. License fees must be deposited with the State Treasurer or are refundable if a license is not issued or is returned in accordance with subsection (B). The application must include a statement by the applicant as to the nature, acreage of location, information requested in subsection (A), and dates of the festival. All of the buildings and grounds of the defined festival location that are under the direct control of the festival liquor by the drink license holder are presumed to be the premises used by the licensee to conduct the festival, including, but not limited to, the areas designated within the festival for entertainment, cultural events, food and beverage services, and retail spaces. The department in its discretion may specify the terms and conditions of the license, pursuant to existing statutes and regulations governing these applications.

(D) The department shall require the applicant to complete the law enforcement notification contained in an application form and submit it with the application. The law enforcement notification provision shall be prepared by the department for inclusion in the application and, at a minimum, must contain sufficient information to inform the department that either the chief of police, if the event is located within the city limits, or the county sheriff has been notified of the temporary license application and given an opportunity to object.

(E) The applicant must undergo a state criminal records check, supported by fingerprints, by the State Law Enforcement Division, and a national criminal records check, supported by fingerprints, by the Federal Bureau of Investigation. The results of these criminal record checks must be reported to the department. The applicant is responsible for all costs associated with the criminal record checks. The department shall deny the application if the criminal record checks are not submitted with the application and filing fee or if they are obtained more than ninety days before the date of the festival.

(F) This section does not prohibit an applicant for a festival liquor by the drink license to apply for a temporary beer and wine permit, pursuant to Section 61-4-550.

(G) The issuance of this license authorizes the festival liquor by the drink licensee to purchase alcoholic liquors from licensed retail dealers in the same manner that a person with a biennial license issued pursuant to subarticle 1 of this article purchases its alcoholic liquors.

(H)(1) In addition to all other requirements, a licensee under this section is required to obtain a general liability or tort insurance policy that does not exclude liquor liability, a liquor liability insurance policy, or a general liability insurance policy with a liquor liability endorsement with a total coverage of at least one million dollars during the period of the festival. Failure to maintain this coverage constitutes grounds for suspension or revocation of the license. Each applicant for this license shall include in the application for the festival liquor by the drink license documentation of the required policy in the required amounts.

(2) Each insurer writing a general liability or tort insurance policy that does not exclude liquor liability, a liquor liability insurance policy, or a general liability insurance policy with a liquor liability endorsement to a person licensed under this section for a festival liquor by the drink license must notify the department in a manner prescribed by the department regulation of the lapse or termination of the required insurance.

SECTION 2. This Act takes effect upon the signature of the Governor.

4. Alcohol Beverage Modernization – Liability Coverage

Summary of Current Law:

The current tort claims act as it relates to liability coverage for governmental entities does not satisfy the requirements set forth for governmental entities who hold an alcohol beverage on premise consumption license.

Recommendation:

Modify existing statute to allow the liability coverage provided by the tort claims act for governmental entities to satisfy the liability coverage required for a governmental entity to hold an alcohol beverage on premise consumption license.

Other agencies that may be impacted:

South Carolina Insurance Reserve Fund

Draft Language:

Section 61-2-145 is amended by adding an appropriately numbered item at the end to read:

SECTION 1. During the period of the biennial permit or license, a governmental entity licensed or permitted to sell alcoholic beverages for on premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on premises consumption, is required to maintain a tort insurance policy that does not exclude liquor liability.

SECTION 2. This Act takes effect upon the signature of the Governor.

5. Alcohol Beverage Modernization – Penalties

Summary of Current Law:

There are penalty provisions contained in the statute that are not consistent. The SCDOR has used policy document guidelines as a guide in applying penalties that are on occasion not accepted by the courts.

Recommendation:

This proposed legislation will provide consistent statutory guidance for the SCDOR and the courts in applying penalties.

Other agencies that may be impacted:

South Carolina Law Enforcement Division

Draft Language:

Amend Title 61, Chapter 2 by adding the following section:

SECTION 1. (A) Notwithstanding any other provision in Title 61, the Department has the sole authority to revoke or suspend any license issued under Title 61 for any violation of this title.

(B) Should the Department not use the authority allowed in subsection (A) of this section the following penalties shall be imposed for any violation of this Title:

- (1) First offense there shall be imposed a penalty on the license holder of not less than five hundred dollars;
- (2) Second offense there shall be imposed a penalty on the license holder of not less than one thousand dollars;
- (3) Third offense there shall be imposed a penalty of suspension of the license issued under this Title of not less than forty-five days;
- (4) Fourth offense there shall be imposed a penalty of revocation of the license issued under this Title.

The Department shall review the prior three years from the date of the most recent violation to determine which offense applies.

SECTION 2. This Act takes effect upon the signature of the Governor.

POLICY, PRIVACY, & PROCUREMENT DIVISION

Deputy Director

Joe Dusenbury

Number of Employees

11 FTEs

Related Goals

- 1 Fairly administer and enforce the revenue and regulatory laws of the State of South Carolina.
- 3 Maintain a positive customer service experience for all stakeholders.

Related Deliverables

Deliverable numbers correspond to the deliverables chart in the agency's PER.

Table 5. Applicable laws for the Policy, Privacy, & Procurement Division's deliverables, as provided by SCDOR in its PER (emphasis added).

# from PER	Applicable Law	Summary of Requirement
63	Administer, Enforce, and/or Collect Taxes and Fees	
70	4-12-30(B)(3)	SCDOR shall designate by December thirty first of each year the counties qualifying for the reduced fee-in-lieu threshold requirement.
78	12-6-20	SCDOR shall administer and enforce the taxes imposed by Chapter 6. SCDOR shall make and publish rules and regulations necessary to enforce this chapter.
80	12-6-3360 (B)	SCDOR shall rank and designate the state's counties for purposes of the jobs tax credit .
81	12-6-3360(I)	The appropriate agency involved with the jobs tax credit shall determine if qualifying net increases or decreases have occurred related to jobs.
82	12-6-3360 (J)	The appropriate agency shall prescribe certification procedures to ensure taxpayers can claim credits in future years even if a particular county's classification is changed.
83	12-6-3367 (D)	SCDOR shall prescribe certification procedures to ensure taxpayers may qualify for a corporate tax moratorium in future years even if a particular county is removed from the list of qualifying counties.
116	12-36-2120(57)	SCDOR shall publish a yearly list of articles which qualify for the August sales tax holiday .
122	12-37-250(G)	SCDOR shall develop advisory opinions as may be necessary to carry out the homestead exemption provisions .
131	12-54-25(C)(1)	SCDOR must determine amount of interest on refunds .
132	12-54-250(F)(2)	SCDOR shall include a notice detailing electronic filing requirements for tax return preparers filing one hundred or more returns in its form instructions and in the forms area of its website.
148	44-96-160(Y)	SCDOR shall promulgate regulations necessary to implement the provisions.

# <i>from PER</i>	Applicable Law	Summary of Requirement
155	58-25-80	SCDOR is responsible for promulgating regulations for exemptions by nonprofits who are regional transportation authorities .
162	Regulation - 117-850.2	SCDOR must publish standards for the specifications for using non paper methods.
354	Evaluate and Adjust Tax Rates	
356	12-6-520	Annually by December fifteen, SCDOR shall adjust the income tax brackets in the same manner as the Internal Revenue Code 1(f) , but limited to one-half the adjustment of IRC Section 1(f) and limit the adjustment to four percent a year and round off to the nearest ten dollars. Inflation adjustments must be made cumulatively to the income tax brackets.
358	Notify Taxpayers and External Stakeholders	
359	12-4-385	SCDOR shall notify the appropriate licensing division of the Department of Labor, Licensing and Regulation when a change in policy is proposed concerning a particular industry group.
388	Serve on a Committee or Board	
391	12-35-40	SCDOR must provide representative to Streamlined Sales Tax Committee .
392	13-1-1710	The Director of SCDOR shall serve as a member of the Coordinating Council for Economic Development .



Note:

SCDOR reported that all of its deliverables are required by law, and that for every one, it:

- Evaluates the outcome obtained by customers/individuals who receive the service or product;
- Knows the number of potential and actual customers served annually;
- Evaluates customer satisfaction; and
- Knows the cost it incurs per unit to provide the service or product.

Related Performance Measures

Table 6. Performance Measures for the Policy, Privacy, & Procurement Division, as reported by SCDOR in its PER.

Performance Measure	Type of Measure:	Required or Selected?	Time Period		Time Period 1	Time Period 2	Time Period 3	Time Period 4	Time Period 5 (most recently completed)	Time Period 6 (current time period)
Number of formal advisory opinions resolved and published by SCDOR's Policy Division	Output Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	151	151	DNE
				Actual:	DNE	DNE	DNE	151	730	
Percentage increase in the number of recipients and subscribers to external communications.	Efficiency Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	20%	40%	40%
				Actual:	DNE	DNE	DNE	38%	127%	

ADMINISTRATIVE SERVICES DIVISION

Deputy Director

Laura Watts

Number of Employees

51 FTEs, 1 contractor

Related Goal

- 1 Fairly administer and enforce the revenue and regulatory laws of the State of South Carolina.
- 3 Maintain a positive customer service experience for all stakeholders.
- 4 Promote and maintain a competent, productive, and diverse workforce.

Related Deliverables

Deliverable numbers correspond to the deliverables chart in the agency's PER. See Table 7 for details on each deliverable.

63	Administer, Enforce, and/or Collect Taxes and Fees
174	Protecting Taxpayers Rights
238	Collect a Tax/Fee and Remit Revenue to the State's General Fund
255	Collect a Tax/Fee and Remit Revenue to a State or Local Governmental Entity or Non-Governmental Entity
322	Support State Government
388	Serve on a Committee or Board
393	Support Local Governments

Table 7. Applicable laws for the Administrative Services Division's deliverables, as provided by SCDOR in its PER (emphasis added).

# from PER	Applicable Law	Summary of Requirement
63	Administer, Enforce, and/or Collect Taxes and Fees	
123	12-37-255(C)	SCDOR must withhold from the next disbursement of state funds to a county or municipality the amount of tax and penalties related to improperly granted homestead exemptions .
125	12-37-266(B)	SCDOR shall reimburse the taxing entity for the taxes not collected by reason of the homestead exemption .
126	12-37-270(A)	SCDOR from the Trust Fund for Tax Relief shall annually pay to the county or municipality in which a dwelling is located a sum equal to the taxes not collected because of the homestead exemption .
138	23-47-50(F)	SCDOR requirement to provide form and collect 911 fees and deposit with State Treasurer.
174	Protecting Taxpayers Rights	
176	12-58-40	SCDOR shall develop and implement a taxpayer education and information program.
238	Collect a Tax/Fee and Remit Revenue to the State's General Fund	
240	12-6.	SCDOR must collect and remit individual income tax to the General Fund.
241	12-6-530	SCDOR must collect and remit corporate income tax to the General Fund.
242	12-8.	SCDOR must collect and remit revenue from withholding tax to the General Fund.
243	12-11.	SCDOR must collect and remit the bank tax to the General Fund.
244	12.13.	SCDOR must collect and remit the savings and loan association tax to the General Fund.
245	12-20.	SCDOR shall collect and remit the corporate license fee to the General Fund.
246	12-21.	SCDOR must collect and remit the admission fee, the beer and wine wholesalers excise tax, bingo tax, coin operated device tax and tobacco tax to the General Fund.
247	12-21-1120	Beer and wine taxes and license fees provided by this article must be paid to and collected by SCDOR and deposited to the general fund of this state.
248	12-24.	SCDOR must collect and remit the documentary tax to the General Fund.
249	12-33.	SCDOR must collect and remit alcoholic liquor tax to the General Fund.
250	12-36.	SCDOR must collect and remit the sales tax and retailer license fee to the General Fund.
251	12-37.	SCDOR must collect and remit aircraft property tax and private car lines tax to the General Fund.
254	61-6-2970	All monies received by SCDOR must be deposited with the State Treasurer.
255	Collect a Tax/Fee and Remit Revenue to a State or Local Governmental Entity or Non-Governmental Entity	
256	4-10-90(B)	All revenues collected must be remitted to the State Treasurer to be credited to a Local Sales and Use Tax Fund .
257	4-10-440	SCDOR shall remit collections from the Education Capital Improvement tax to the State Treasurer.
258	4-10-940 (E)	SCDOR shall deposit collected fees with the State Treasurer.

# from PER	Applicable Law	Summary of Requirement
259	12-6-3780 (B)(2)	If the preventative maintenance refundable income tax credit claimed in a tax year is less than the amounts transferred to SCDOR, then the excess shall revert back from SCDOR to the Department of Transportation.
260	12-10-80(E)	SCDOR is required to remit the appropriate amount of funds to the State Rural Infrastructure Fund .
261	12-10-85(A)	Funds received by SCDOR for the State Rural Infrastructure Fund must be deposited in the State Rural Infrastructure Fund of the Council.
262	12-10-88(B)	SCDOR shall remit the redevelopment fees for each calendar quarter for which the Redevelopment Authority provides a timely statement with required information.
263	12-21-625(B)(1)	Five million dollars of the revenue generated from the cigarette surtax shall be directed to the Medical University of South Carolina Hollings Cancer Center .
264	12-21-625(B)(2)	Five million dollars of the revenue generated shall be directed to the Smoking Prevention and Cessation Trust Fund .
265	12-21-625(B)(3)	Remaining revenue shall be deposited in the South Carolina Medical Reserve Fund .
266	12-21-1130	SCDOR shall transfer to the special school account from any unallocated funds on the last day of the month the State's portion from the sale of beer or wine.
267	12-21-2420(16)(b)	Revenue derived from fishing piers from admissions tax along the coast must be allocated for use by the Commercial Fisheries Division of the Department of Natural Resources .
268	12-21-2720 (E)	SCDOR shall collect increased fees on Class 2 coin-operated machines for purposes of funding South Carolina Law Enforcement Division (SLED) operations, and these funds are sent to SLED to offset the cost of video gaming enforcement.
270	12-21-4190(B)(1)	SCDOR must make the revenue distribution back to the charity for which the bingo cards were purchased. This distribution must be made by the last day of the next month following the month the revenue was collected. These amounts must be reduced by any delinquent debts as defined in the Setoff Debt Collection Act.
271	12-21-4190 (C)	Revenue derived from Class F licenses shall be distributed pursuant to Section 12-21-4200.
272	12-21-4200	SCDOR shall deposit with the State Treasurer the first nine hundred forty-eight thousand dollars collected from bingo revenue in twelve equal amounts into an account called " Division on Aging Senior Citizens Centers Permanent Improvement Fund ".
273	12-21-4200 (1)	SCDOR shall deposit with the State Treasurer seven and five one-hundredths percent of bingo revenue to be credited to the account of the Division on Aging but in no case shall the amount be less than six hundred thousand dollars.
274	12-21-4200 (3)	SCDOR shall deposit with the State Treasurer seventy-two and fifteen one-hundredths percent of bingo revenue to the general fund, except that the first one hundred thirty-one thousand must be transferred to the Commission on Minority Affairs .
275	12-21-6530(A)	If a facility qualifies under this article, one-fourth of the admissions tax generated by that facility must be paid by SCDOR to the county or municipality in which the facility is located.

# from PER	Applicable Law	Summary of Requirement
276	12-21-6540(A)	If a facility qualifies under this article, one-fourth of the admissions tax generated by that facility must be paid by SCDOR to the special tourism infrastructure development fund .
277	12-23-840	Revenues derived from the Hospital Tax must be deposited in the Medicaid Expansion Fund created by Section 44-6-155.
278	12-24-90(B)(1)	Allocates to the Heritage Land Trust Fund a portion of the state portion of the Deed Recording Fee collected.
279	12-24-90(B)(2)	Allocates to the State Housing Authority a portion of the state portion of the Deed Recording Fee collected.
280	12-24-95.	Twenty-five cents of the one dollar thirty-cent state deed recording fee must be credited to the South Carolina Conservation Bank Trust Fund .
281	12-28-2355(C)	Petroleum Inspection Fees as described in SC Code Sec. 12-28-2355 (A) are collected by SCDOR and remitted to the State Non-Federal Aid Highway Fund at Department of Transportation .
282	12-28-2915(A)	Twenty million dollars of the motor carrier tax must be deposited into the account for economic development as provided in Section 12-28-2910.
283	12-28-2915(B)	All revenues in excess of twenty million dollars shall be credited to the Department of Transportation .
284	12-33-245(B)	SCDOR must deposit eleven percent of the revenue generated from the liquor by the drink excise tax with the State Treasurer to be deposited into a separate fund.
285	12-36-2110(A)(4)	Revenue resulting from the increase in the maximum sales tax must be credited to the Infrastructure Maintenance Trust Fund
286	12-36-2620	Allocates proceeds of sales tax imposed by statutes.
287	12-36-2630	Specifies Accommodations tax distributions.
288	12-36-2630(3)	The proceeds of the 2% local accommodations tax , less SCDOR's actual incremental increase in the cost of administration, must be remitted quarterly to the municipality or the county in which it is collected.
289	12-37-250(F)	SCDOR shall reimburse from funds appropriated for homestead reimbursement the state agency of Vocational Rehabilitation for the actual expenses incurred in making decisions related to disability.
290	12-37-2850	SCDOR must assess and collect property taxes on motor carriers and remit collections to the State Treasurer's Office and the State Treasurer's Office makes disbursements in accordance with SC Code Sec. 12-37-2870
291	12-56-80(A)	SCDOR must transmit proceeds and accounting of setoffs to claimant agencies.
292	12-62-50	SCDOR must remit withholding revenue to Parks, Recreation and Tourism upon request.
293	12-62-60(A)(1)	Amount of twenty-six percent of the general fund portion of admissions tax must be provided for exclusive use of the South Carolina Film Commission .
296	44-96-120(B)	Allocates proceeds of solid waste disposal fees .
297	44-96-160(W)(2)	SCDOR shall remit fees collected pursuant to this chapter to the Solid Waste Management Trust Fund .
299	48-30-40	Proceeds of the assessment on primary forest products shall be deposited to the forest renewal fund .
300	48-46-40(D)(1)	SCDOR shall deposit with the State Treasurer payments on low level radioactive waste .

# from PER	Applicable Law	Summary of Requirement
301	55-5-280(A)(1)	Collections from the Aircraft Tax from Section 12-37-2410 shall be deposited with the State Treasurer into the State Aviation Fund .
302	55-5-280(B)	Revenue received from the Aircraft Tax as allowed in Section 12-37-2410 in excess of two and one-half million dollars shall be directed to the State Aviation Fund . Any revenue in excess of five million dollars must be credited in equal amounts to the general fund and State Aviation Fund.
307	59-21-1010	SCDOR must allocate proceeds of additional sales tax imposed by the Education Improvement Act to the State Treasurer.
308	61-2-105	SCDOR shall collect increased application and license fees for purposes of funding SLED operations and shall allocate these fees to SLED as soon as practicable.
310	61-6-2010(A)	SCDOR shall deposit fees collected with the State Treasurer
311	1A.7	(SDE-EIA: Disbursements/Other Entities) Notwithstanding the provisions of Sections 2-7-66 and 11-3-50, South Carolina Code of Laws, it is the intent of the General Assembly that funds appropriated in Part IA, Section 1, VIII.E. Other State Agencies and Entities shall be disbursed on a quarterly basis by the SCDOR directly to the state agencies and entities referenced except for the Teacher Loan Program, Centers of Excellence, the Education Oversight Committee and School Technology, which shall receive their full appropriation at the start of the fiscal year from available revenue. The SCDOR is also directed to provide the first quarter appropriation of the funding appropriated in Part IA, Section 1, VIII.G. Charter School District to the Department of Education at the start of the fiscal year from available revenue.
312	47.2	SCDOR shall reimburse the Department of Natural Resources the cost of collecting the casual sales tax from revenues generated by the casual sales tax.
314	109.3	(SCDOR: Rural Infrastructure Fund Transfer) Notwithstanding Section 12-10-85, the SCDOR is authorized to deposit revenues from the Rural Infrastructure Fund in excess of twelve million dollars to the Rural Infrastructure Fund under the Rural Infrastructure Authority. Any revenues in excess of seventeen million dollars shall be deposited in the Rural Infrastructure Fund under the Department of Commerce, Coordinating Council.
315	109.9	(SCDOR: May Events) SCDOR shall remit Accommodation tax funds to Horry County for special purposes upon request
322	Support State Government	
327	12-6-5060(C)	SCDOR shall determine and report at least annually to the appropriate agency administering the fund the amount of contributions. SCDOR shall transfer the appropriate amount to each fund at the earliest possible time. The incremental cost of collection must be retained by SCDOR.
388	Serve on a Committee or Board	
390	11-9-825	The BEA must be supplemented by one professional from the staff of SCDOR.
393	Support Local Governments	
396	4-10-450	SCDOR shall furnish data to the State Treasurer and to a school district and others receiving tax revenues pursuant to this article for the purpose of calculating distributions and estimating revenues. (Education Capital Improvement Sales Tax)

# <i>from PER</i>	Applicable Law	Summary of Requirement
397	4-10-960	SCDOR shall furnish data to the State Treasurer and to the municipal treasurers receiving revenues for the purpose of calculating distributions and estimating revenues.
398	4-37-30 (A)(16)	SCDOR shall furnish data to the State Treasurer and to the counties receiving revenues for the purpose of calculating distributions and estimating revenues.
399	6-1-810	SCDOR shall share data helpful to both the department and the implementing jurisdiction regarding the enforcement of accommodation tax laws (Fairness in Lodging Acts).
405	12-37-280(A)	SCDOR must make reimbursements to local governments for the homestead exemption on an annual basis.
406	12-37-450(A)	SCDOR shall make reimbursements for the inventory exemption to counties and municipalities in four equal payments. Counties and municipalities must be reimbursed for the inventory exemption based on the 1987 tax year millage and 1987 tax year assessed values for inventories.

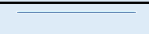


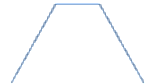
Note:








SCDOR reported that all of its deliverables are required by law, and that for every one, it:

- Evaluates the outcome obtained by customers/individuals who receive the service or product;
- Knows the number of potential and actual customers served annually;
- Evaluates customer satisfaction; and
- Knows the cost it incurs per unit to provide the service or product.

Related Performance Measures

Table 8. Performance Measures for the Administrative Services Division, as reported by SCDOR in its PER.

Performance Measure	Type of Measure:	Required or Selected?	Time Period		Time Period 1	Time Period 2	Time Period 3	Time Period 4	Time Period 5 (most recently completed)	Time Period 6 (current time period)
Cost per dollar collected	Efficiency Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	\$0.0071	\$0.0071	\$0.0065
				Actual:	\$0.0076	0.0074	0.0079	\$0.0071	\$0.0065	
Percent of new employees fingerprinted and background checked.	Efficiency Measure	Federal government	July - June	Target:	DNE	DNE	100%	100%	100%	100%
				Actual:	DNE	DNE	100%	100%	100%	
Percentage of existing, active SCDOR employees to complete required security and disclosure	Efficiency Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	100%	100%	100%
				Actual:	DNE	DNE	DNE	100%	100%	
Number of enhancements made to the security of SCDOR facilities.	Input/Activity Measure	Agency Selected	July - June	Target:	DNE	DNE	10	10	10%	DNE
				Actual:	DNE	DNE	10	10	1,424	
Number of taxpayer education courses offered and number of participants.	Output Measure	Agency Selected	July - June	Target:	DNE	5	6	6 courses	6 courses	5 courses
				Actual:	DNE	530 attendees	485 attendees	6 courses 702 attendees	5 courses 783 attendees	
Percentage of taxpayers reporting an excellent satisfaction rate for external taxpayers classes	Outcome Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	60%	60%	60%
				Actual:	DNE	DNE	DNE	58%	56%	
Number of DORWay, Phase III, training attendees.	Input/Activity Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	700	700	444
				Actual:	DNE	DNE	DNE	700	444	
Number of DORWay, Phase III, training sessions held.	Input/Activity Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	DNE	118	95
				Actual:	DNE	DNE	DNE	DNE	95	
Number of tax revenue data requests received and responded to.	Input/Activity Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	0	0	207
				Actual:	DNE	DNE	DNE	156	207	
Percentage of tax revenue data requests completed within one business day.	Efficiency Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	50%	50%	95%
				Actual:	DNE	DNE	DNE	81%	95%	
Number of internal training courses offered to SCDOR employees.	Input/Activity Measure	Agency Selected	July - June	Target:	DNE	6	6	7	7	8
				Actual:	DNE	5	6	7	8	
Percentage of employees reporting an excellent satisfaction rate for internal training classes	Efficiency Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	65%	65%	65%
				Actual:	DNE	DNE	DNE	68%	63%	

Performance Measure	Type of Measure:	Required or Selected?	Time Period		Time Period 1	Time Period 2	Time Period 3	Time Period 4	Time Period 5 (most recently completed)	Time Period 6 (current time period)
Number of community outreach opportunities offered to employees.	Input/Activity Measure	Agency Selected	July - June	Target:	DNE	DNE	12	30	30	12
				Actual:	DNE	DNE	11	30	12	
Percentage of personnel participating in community outreach activities.	Input/Activity Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	40%	40%	20%
				Actual:	DNE	DNE	DNE	40%	20%	
Total dollars donated by personnel to community outreach activities.	Outcome Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	\$12,000	\$12,000	\$9,723
				Actual:	DNE	DNE	DNE	\$12,000	\$9,723	
Number of boxes of goods donated by personnel to community outreach activities.	Outcome Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	52	52	40
				Actual:	DNE	DNE	DNE	52	40	
Average number of health and wellness activities offered each quarter.	Input/Activity Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	DNE	2	1
				Actual:	DNE	DNE	DNE	DNE	1	
Percentage of employees participating in health and wellness activities.	Input/Activity Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	53%	53%	46%
				Actual:	DNE	DNE	DNE	53%	46%	
SCDOR's health and wellness score.	Outcome Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	B	B	DNE
				Actual:	DNE	DNE	DNE	B	DNE	
Percentage employee turnover rate	Input/Activity Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	DNE	DNE	13%
				Actual:	12.88%	10.65%	12.06%	14.10%	13.24%	
Average monthly equal opportunity goal met.	Efficiency Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	95%	95%	96%
				Actual:	94.6%	94.5%	93.9%	95.4%	96%	

COMMUNICATIONS DIVISION

Deputy Director

Ashley Thomas

Number of Employees

5 FTEs

Related Goals

- 1 Fairly administer and enforce the revenue and regulatory laws of the State of South Carolina.
- 3 Maintain a positive customer service experience for all stakeholders.

Related Deliverables

Note that deliverables usually consist of products/services provided to customers/stakeholders outside of the agency, and may not represent all the activities of a division.

Table 9. Applicable laws for the Communications Division's deliverables, as provided by SCDOR in its PER (emphasis added).

# <i>from PER</i>	Applicable Law	Summary of Requirement
322	Support State Government	
335	109.10	(SCDOR: Educational Credit for Exceptional Needs Children) The board and SCDOR Director will appoint an executive director. SCDOR will support the board and will administer donor tax credits. SCDOR is required to complete the mandated reports regarding Exceptional SC.











Note:

SCDOR reported that all of its deliverables are required by law, and that for every one, it:

- Evaluates the outcome obtained by customers/individuals who receive the service or product;
- Knows the number of potential and actual customers served annually;
- Evaluates customer satisfaction; and
- Knows the cost it incurs per unit to provide the service or product.

Related Performance Measures

Table 10. Performance Measures for the Communications Division, as reported by SCDOR in its PER.

Performance Measure	Type of Measure:	Required or Selected?	Time Period		Time Period 1	Time Period 2	Time Period 3	Time Period 4	Time Period 5 (most recently completed)	Time Period 6 (current time period)
Percentage increase in the number of recipients and subscribers to external communications.	Efficiency Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	20%	40%	40%
				Actual:	DNE	DNE	DNE	38%	127%	
Number of SCDOR tweets	Outcome Measure	Agency Selected	July - June	Target:	DNE	DNE	121	200	200	DNE
				Actual:	DNE	DNE	121	254	199	
Number of SCDOR new twitter followers	Outcome Measure	Agency Selected	July - June	Target:	DNE	DNE	805	150	150	DNE
				Actual:	DNE	DNE	805	198	98	
Number of SCDOR links clicked through	Outcome Measure	Agency Selected	July - June	Target:	DNE	DNE	412	500	500	DNE
				Actual:	DNE	DNE	412	720	520	
Number of SCDOR external communications and publications.	Output Measure	Agency Selected	July - June	Target:	DNE	DNE	147	150	150	108
				Actual:	DNE	DNE	147	149	108	
Percentage increase in SCDOR website page views.	Outcome Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	50%	50%	DNE
				Actual:	DNE	DNE	DNE	170%	-14%	
Percentage increase in SCDOR website users.	Outcome Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	50%	50%	DNE
				Actual:	DNE	DNE	DNE	86%	-2%	
SCDOR website bounce rate.	Outcome Measure	Agency Selected	July - June	Target:	DNE	DNE	31.90%	30%	30%	DNE
				Actual:	DNE	DNE	31.90%	35.98%	45%	
Percentage employee turnover rate	Input/Activity Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	DNE	DNE	13%
				Actual:	12.88%	10.65%	12.06%	14.10%	13.24%	
Average monthly equal opportunity goal met.	Efficiency Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	95%	95%	96%
				Actual:	94.6%	94.5%	93.9%	95.4%	96%	

PART TWO: DEPARTMENT OF LABOR, LICENSING, AND REGULATION

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Study Timeline - Department of Labor, Licensing, and Regulation

- May 1, 2015 - Agency submits its **Annual Restructuring and Seven-Year Plan Report**, which is available online.
- February 12, 2016 - Agency submits its **2016 Annual Restructuring Report**, which is available online.
- December 19, 2017 - **Full committee votes to schedule the Department of Labor, Licensing, and Regulation (LLR) for study.** Video of the meeting is available online.
- January 23, 2018-March 1, 2018 - Committee solicits input from the public about the agency in the form of an **online public survey.** The results of the public survey are available online.
- March 1, 2018 - Committee holds **public input meeting** about LLR; Department of Parks, Recreation, and Tourism; and Department of Revenue. Video of the meeting is available online.
- April 20, 2018 - Agency submits its **Program Evaluation Report**, which is available online.
- Ongoing - Public may submit written comments on the Oversight Committee's webpage on the General Assembly's website (www.scstatehouse.gov).

AGENCY OVERVIEW

Snapshot

Department of Labor, Licensing and Regulation

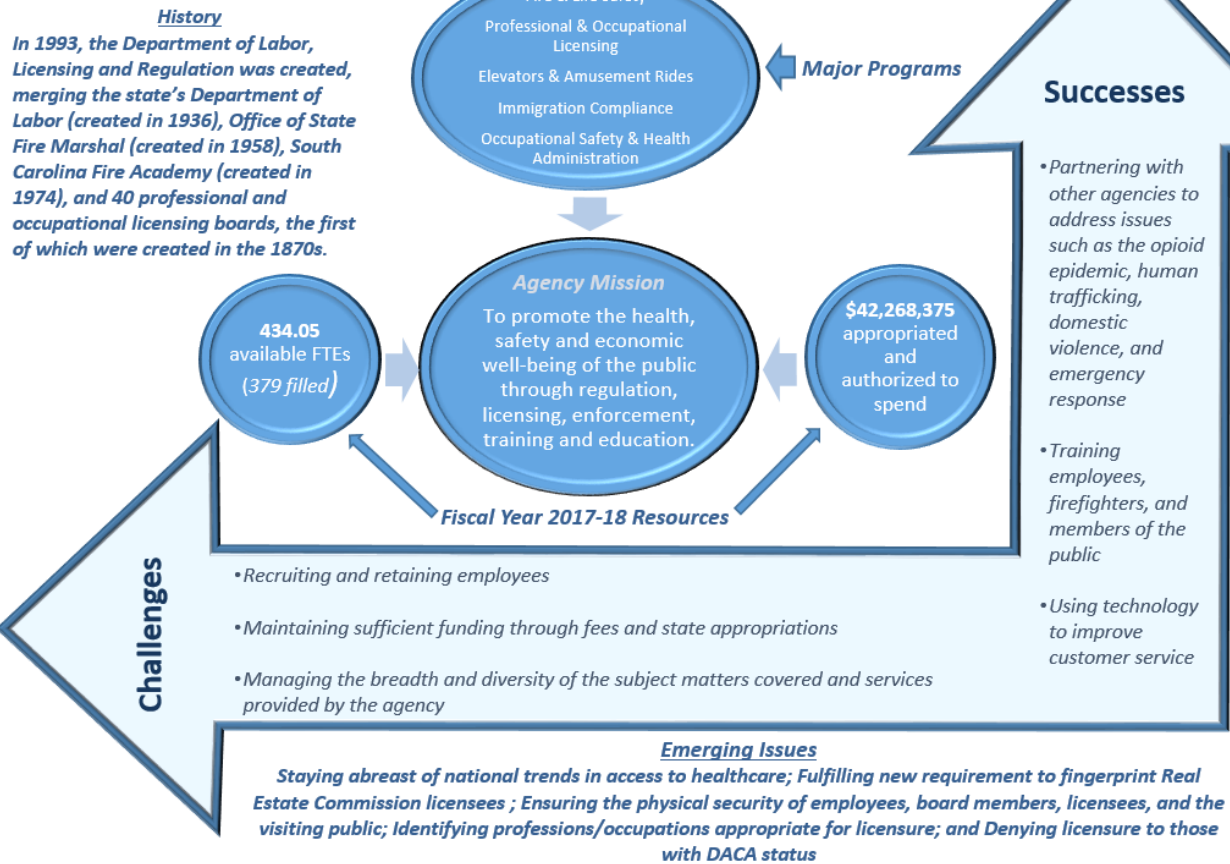


Figure 2. Snapshot of agency that includes its history, mission, resources, successes, challenges, and emerging issues

History

LLR has provided the Committee with an overview of the agency's history.¹ In addition, Committee staff will confirm the accuracy of any assertion of legislative action.

- **1817**
 - The state legislature passes a law requiring each apothecary to obtain a license. The law also establishes examination and license prerequisites for the practice of pharmacy.
- **1872**
 - The South Carolina General Assembly establishes the Commission for the Port of Charleston Pilotage, the State's first occupational licensing board.
- **1875**
 - The State Board of Dentistry is created.
- **1891**
 - The legislature gives county boards the authority to license physicians.
- **1903**
 - The first labor law is adopted by the General Assembly addressing the issue of child labor.
- **1904**
 - The State Board of Medical Examiners is created.
- **1909**
 - The legislature expands the duties of the South Carolina Commissioner of Agriculture to include a factory inspection unit. The new agency is named the South Carolina Department of Agriculture, Commerce and Labor Industries. The new division begins inspecting factories for compliance with child labor and sanitation laws.
- **1915**
 - The State Board of Accountancy is created.
- **1917**
 - The State Board of Architectural Examiners is created.
- **1920**
 - The State Board of Veterinary Medical Examiners is created.
- **1922**
 - The South Carolina Board of Professional Engineers is created.
- **1932**
 - The South Carolina Board of Chiropractors is created. Prior to the law creating this Board, the State Board of Medical Examiners regulated chiropractors.

- **1934**
 - The State Board of Cosmetology is created.
- **1935**
 - The South Carolina Board of Nursing is created. Prior to the law creating this Board, the State Board of Medical Examiners regulated the practice of nursing.
- **1936**
 - The Department of Labor is created and the first Commissioner of Labor, John Nates, is appointed by Governor Johnston.
 - The State Contractors' Licensing Board is created.
- **1937**
 - The State Board of Barber Examiners is created.
- **1939**
 - Governor Maybank appoints W. Rhett Harley as the new Commissioner of Labor
- **1943**
 - Governor Johnston appoints Raymond L. Gamble as the new Commissioner of Labor.
- **1947**
 - The State Liquefied Petroleum Gas Board is created.
- **1948**
 - Governor Strom Thurmond appoints W. Fred Ponder as the new Commissioner of Labor
- **1952**
 - The State Board of Physical Therapy is created.
- **1954**
 - The State's first Cemetery Board is created.
- **1955**
 - The State Carolina Board of Funeral Service is created.
- **1956**
 - The State Real Estate Commission is created.
- **1958**
 - The Commissioner of the South Carolina Department of Insurance is designated the "State Fire Marshal, ex officio" by law. The Commissioner is empowered to appoint a Chief Deputy State Fire Marshal, and he appoints Jesse C. Johnson, a City of Columbia Battalion Chief.
- **1960**
 - The State Board of Podiatry Examiners is created.

- **1961**
 - The State Board of Registration for Foresters is created.
- **1966**
 - New state law transfers the Office of State Fire Marshal from the State Department of Insurance to the Division of General Services in the State Budget and Control Board. Deputy State Fire Marshal Jesse C. Johnson is appointed as the first State Fire Marshal.
 - The State Board of Environmental Certification is created.
- **1968**
 - The State Boards of Examiners in Psychology and of Social Work Examiners are created.
- **1969**
 - Governor Robert McNair establishes a statewide training program for public sector and private industry firefighters under the state technical education system. Midlands Technical College in Columbia adds a 42-hour firefighting training program to the school's catalogue of vocational classes. Previously, some fire departments and the South Carolina Firefighters' Association provided training to firefighters.
- **1970**
 - The State Board of Long Term Health Care Administrators is created.
 - The federal Occupational Safety & Health Act is enacted. Responsibility for enforcement of the law is given to the U.S. Department of Labor; however, the bill provides that any state that wishes to pre-empt federal enforcement can do so by adopting a state program.
- **1971**
 - Governor John West appoints Edgar L. McGowan as the new Commissioner of Labor.
 - The General Assembly passes the South Carolina Occupational Safety and Health Act, enabling Commissioner McGowan to seek federal approval of a state-administered OSHA program.
- **1972**
 - South Carolina becomes the first state to file a state-administered OSHA plan with the U.S. Department of Labor to enforce OSHA. On November 30, 1972, South Carolina becomes the first state to have its job safety and health plan approved by the U.S. Department of Labor.
 - The South Carolina Building Codes Council is created.
- **1973**
 - Construction begins on a fire training facility near the Columbia airport with funds appropriated by the General Assembly.
 - The State Manufactured Housing Board and the State Board of Examiners in Speech-Language Pathology and Audiology are created.
- **1974**
 - The South Carolina Institute of Fire Technology opens near Columbia airport under the direction of Midlands Technical College. The facility includes classrooms, a burn building, and a drill tower.
 - The South Carolina Residential Builders Commission is created.

- **1976**
 - The legislature gives responsibility for firefighter training to the State Technical Education Board, and the South Carolina Institute of Fire Technology is renamed the South Carolina Fire Academy.
- **1977**
 - The State Auctioneers Commission and the State Board of Occupational Therapy are created.
- **1978**
 - The State Board of Examiners in Opticianry is created.
 - The Board of Examiners in Optometry is established as a separate Board.
- **1979**
 - The South Carolina Fire Commission is created, bringing the Office of State Fire Marshal and State Fire Academy together under one agency.
 - The State Board of Pyrotechnic Safety is created.
- **1984**
 - The State Athletic Commission is created.
- **1985**
 - The General Assembly enacts the South Carolina Elevator Code and the South Carolina Amusement Rides Safety Code. Responsibility for administering the laws is given to the South Carolina Department of Labor.
 - The State Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists and Psycho-Educational Specialists is created.
- **1986**
 - The South Carolina Payment of Wages Act is enacted. The Department of Labor is authorized to make inspections, and to issue citations and assess penalties for violations of the Act.
 - The South Carolina Fire Academy is transferred from the State Technical Education Board to the Division of State Fire Marshal in the State Budget and Control Board.
 - The State Board of Registration for Geologists is created.
- **1989**
 - Governor Carroll Campbell appoints Virgil W. Duffie, Jr. as the new Commissioner of Labor.
- **1990**
 - The South Carolina Perpetual Care Cemetery Board was not reauthorized by the General Assembly and, pursuant to Section 1-20-50(a)(4), terminated on June 30, 1990.
- **1991**
 - The General Assembly passes a bond bill to fund a new firefighter training facility.
 - The State Real Estate Appraisers Board is created.

- **1993**
 - The Department of Labor, Licensing and Regulation is created through the South Carolina State Government Restructuring Act. The law merges into one agency, effective February 1, 1994, the former Department of Labor, Office of State Fire Marshal, South Carolina Fire Academy, and 40 professional and occupational licensing boards. The agency head's title is changed from Commissioner of Labor to Director, and Commissioner Duffie becomes the first Director of LLR.
 - A ground-breaking ceremony is held for a new state fire academy near Monticello Road in Columbia.
 - The South Carolina State Fire Academy receives the International Fire Service Accreditation Congress (IFSAC) accreditation, which is the "stamp of approval" from a third-party (IFSAC) review of an agency's certification (testing) system.
- **1995**
 - Governor David Beasley appoints Lewis F. Gossett as the second Director of LLR.
 - The 208 acre campus of the South Carolina Fire Academy in northern Richland County holds its grand opening on July 12, 1995. The \$23 million state-of-the-art facility provides training for fire service personnel (both paid and volunteer), industrial fire brigades, and rescue professionals. The facility includes classrooms, burn props, air rescue firefighting (ARFF) simulators, auditorium, cafeteria, and dormitory.
- **1996**
 - The "Engine Bill" is passed to define LLR's administrative functions for the 40 professional and occupational licensing boards brought under the agency. It creates uniformity where applicable in the different licensing acts by consistently using common terms throughout the act within a particularly structured format.
- **1997**
 - LLR moves its headquarters to the Koger office complex at 110 Centerview Drive in Columbia. The Labor Division stays at its location but will move at a later time.
 - The State Massage/Bodywork Panel is created.
 - LLR boards begin posting agendas, meeting minutes, final board orders and applications online.
- **1999**
 - Governor Jim Hodges appoints Rita M. McKinney as the new LLR Director.
 - The SC State Association of Fire Chiefs unveils the SC Fallen Firefighter Memorial, housed on the grounds of the SC Fire Academy.
- **2000**
 - LLR boards introduce "Licensee Lookup" on the Agency's website, allowing the public to see if the person they want to do business with is licensed and/or has been disciplined.
 - Governor Jim Hodges appoints Donald Harkins as State Fire Marshal.
 - Governor Jim Hodges appoints Robert O. Polk as State Fire Marshal.
- **2001**
 - The Agency begins offering licensees the ability to renew online.

- **2003**
 - Governor Mark Sanford appoints Adrienne R. Youmans as the new LLR Director. Youmans is a former Deputy Director of LLR's Division of Professional and Occupational Licensing.
 - The State Perpetual Care Cemetery Board is created and given the same powers and duties as the defunct Cemetery Board and becomes part of LLR's Division of Professional and Occupational Licensing.
- **2004**
 - LLR reorganizes the Division of Professional and Occupational Licensing Division by creating the Office of Investigations and Enforcement. This Office investigates complaints involving alleged misconduct by licensees. Prior to the creation, investigators were assigned to individual boards. Investigators are cross-trained to investigate more than one board.
 - SC OSHA offices move to the main LLR headquarters at 110 Centerview Drive in Columbia.
- **2005**
 - The Boiler Safety Act becomes law, giving LLR the responsibility of promulgating regulations for the safe installation and inspection of boilers in the state. Regulations take effect in June 2006.
 - The South Carolina State Fire Academy receives the Board on Fire Service Professional Qualifications (Pro Board) accreditation, which is the "stamp of approval" from a third-party (Pro Board) review of an agency's certification (testing) system.
- **2006**
 - The State Panel for Dietetics is created.
 - Governor Mark Sanford appoints Michael Platt as State Fire Marshal.
- **2007**
 - Governor Mark Sanford appoints John G. Reich as State Fire Marshal.
- **2008**
 - The General Assembly passes the South Carolina Illegal Immigration Reform Act requiring employers to verify the legal status of new employees using the federal database E-Verify or a valid driver's license. LLR is charged with the responsibility of conducting audits of employers to ensure compliance with the law.
 - LLR reorganizes the Professional and Occupational Licensing Boards to create the Office of Licensure and Compliance (OLC). This Office is established to consolidate processes dealing with initial licensure of applicants, annual and biennial renewal applicants, and licensees requiring compliance with board orders. In addition, the Customer Care Center is established to assist OLC and the POL boards.
- **2010**
 - The Soil Classifier and Landscape Architect programs are transferred from the SC Department of Natural Resources to LLR. The State Soil Classifier Advisory Council and the Board of Landscape Architectural Examiners are created.
 - SC OSHA signs its first workplace safety partnership with a private company- BE&K/Turner Joint Venture - a design-build contractor at the Boeing 787 assembly and delivery site in North Charleston. The partnership is created to provide the safest possible work environment for workers.

As part of the partnership, SC OSHA agrees to review safety and health programs, conduct comprehensive on-site inspections, provide training, and help contractors eliminate any hazards at the worksites.

- **2011**
 - Governor Nikki Haley appoints Catherine B. Templeton as the new LLR Director.
 - LLR reorganizes the Office of Elevators and Amusement Rides so that inspections are conducted by special certified inspectors licensed by LLR, instead of using inspectors on staff with the Agency.
A team of auditors employed by the Office conduct audits of work done by the special inspectors.
 - Governor Nikki Haley appoints Adolf A. Zubia as State Fire Marshal.
 - LLR reorganizes its Professional and Occupational Licensing Division by eliminating the Office of Licensure and Compliance and the Customer Care Center. The functions of these two offices are returned to the individual POL boards.
- **2012**
 - Governor Nikki Haley appoints Holly Gillespie Pisarik as the new LLR Director.
 - The Agency began offering the first boards the ability to file online applications.
- **2013**
 - Governor Nikki Haley appoints Shane Ray as State Fire Marshal.
- **2014**
 - Governor Nikki Haley appoints Robert O. Polk as State Fire Marshal.
- **2015**
 - Governor Nikki Haley appoints Richele Taylor as the new Director of LLR
- **2016**
 - Governor Nikki Haley appoints Emily H. Farr as Interim Director of LLR.
- **2017**
 - Governor Henry McMaster appoints Emily H. Farr as Director of LLR, and the State Senate confirms her appointment on March 8, 2017.
 - Governor Henry McMaster appoints Jonathan Jones as State Fire Marshal.
 - SC OSHA moves from LLR's headquarters in the Kingstree Building at 110 Centerview Drive in Columbia, to the 2nd floor of the Congaree Building adjacent to LLR's headquarters.

Legal Directives

In its PER, the agency provides the Committee with a list of applicable laws. Those that establish the agency's 42 licensing boards and related licensure requirements are included in Table 11 below:

Table 11. Laws establishing licensing boards and licensure requirements.

Board	Applicable Laws	
	Statutes	Regulations
Accountancy	40-2-10 to 40-2-340	Chapter 1-01 to 1-12
Architectural Examiners	40-3-5 to 40-3-330	Chapter 11-1 to 11-14
Athletic Commission	40-81-10 to 40-81-520	Chapter 20-1.1 to 20-27.23
Auctioneers' Commission	40-6-10 to 40-6-370	Chapter 14-1 to 14-17
Barber Examiners	40-7-5 to 40-7-400	Chapter 17-1 to 17-51
Boiler Safety Program	41-14-10 to 41-14-150	Chapter 71-9100
Building Codes Council	6-8-10 to 6-8-70 6-9-5 to 6-9-130 23-43-10 to 23-43-200 10-5-210 to 10-5-320	Chapter 8-105 to 8-185 Chapter 8-205 to 8-248 Chapter 8-600 to 8-626 Chapter 8-700 to 8-703
Chiropractic Examiners	40-9-10 to 40-9-110	Chapter 25-1 to 25-9
Cemetery Board	40-8-10 to 40-8-240	Chapter 21-1 to 21-64
Contractors' Licensing Board	40-10-05 to 40-10-300 40-11-5 to 40-11-430 40-26-10 to 40-26-60 40-79-5 to 40-79-320	Chapter 29-70 to 29-110 Chapter 29-1 to 29-12
Cosmetology	40-13-5 to 40-13-370	Chapter 35-1 to 35-26
Counselors, Marriage and Family Therapists, Addiction Counselors and Psycho-Educational Specialists	40-75-5 to 40-75-310	Chapter 36-01 to 36-23
Dentistry	40-15-10 to 40-15-380	Chapter 39-1 to 39-18
Dietetics	40-20-5 to 40-20-130	Chapter 40-1 to 40-17
Engineers/Surveyors	40-22-2 to 40-22-320	Chapter 49-100 to 49-610
Environmental Certification	40-23-5 to 40-23-340	Chapter 51-1 to 51-7
Foresters	48-27-10 to 48-27-260	Chapter 53-1 to 53-30
Funeral Service	40-19-5 to 40-19-320	Chapter 57-01 to 57-15
Registration for Geologists	40-77-5 to 40-77-320	Chapter 131-01 to 131-15
Landscape Architectural Examiners	40-28-10 to 40-28-220	Chapter 76-1 to 76-9
Liquefied Petroleum Gas Board	40-82-5 to 40-82-330	Chapter 71-8304.1 to 71-8304.5

Board	Applicable Laws	
	Statutes	Regulations
Long Term Health Care Administrators	40-35-5 to 40-35-260	Chapter 93-50 to 93-260
Manufactured Housing Board	40-29-5 to 40-29-380	Chapter 79-1 to 79-44
Massage/Bodywork Therapy	40-30-10 to 40-30-320	Chapter 77-100 to 77-140
Medical Examiners	40-47-5 to 40-47-1620 40-24-10 to 40-24-20	Chapter 81-1 to 81-300
Nursing	40-33-10 to 40-33-1365	Chapter 91-1 to 91-32
Occupational Therapy	40-36-5 to 40-36-310	Chapter 94-01 to 94-10
Opticianry	40-38-10 to 40-38-340	Chapter 96-101 to 96-110
Optometry	40-37-5 to 40-37-420 40-24-10 to 40-24-20	Chapter 95-1 to 95-6
Pharmacy	40-43-10 to 40-43-200 Proviso 81.11 (LLR: Board of Pharmacy), 2017-2018 S.C. Appropriations Act, Part 1B.	Chapter 99-15 to 99-46
Physical Therapy Examiners	40-45-5 to 40-45-330	Chapter 101-01 to 101-15
Pilotage	54-15-10 to 54-15 -360	Chapter 136-001 to 136-99 and 136-701 to 136-799
Podiatry Examiners	40-51-10 to 40-51-270	Chapter 134-10 to 134-50
Psychology	40-55-40 to 40-55-190	Chapter 100-1 to 100-10
Pyrotechnic Safety	40-56-1 to 40-56-270	Chapter 71-7405 Chapter 71-8305
Real Estate Commission	40-57-10 to 40-57-810	Chapter 105-4 to 105-13
Real Estate Appraisers Board	40-60-5 to 40-60-230 40-60-310 to 40-60-560 Proviso 81.2 (LLR: Real Estate - Special Account), 2017-2018 S.C. Appropriations Act, Part 1B. *12 USCA 3331 et seq. *12 CFR 225.31	Chapter 137-100 to 137- 900.09
Residential Builders Commission	40-59-5 to 40-59-600	Chapter 106-1 to 106-5
Social Work Examiners	40-63-5 to 40-63-300	Chapter 110-1 to 110-20
Soil Classifier Advisory Council	40-65-5 to 40-65-220	Chapter 108-1 to 108-8
Speech-Language Pathology and Audiology	40-67-5 to 40-67-350	Chapter 115-1 to 115-7
Veterinary Medical Examiners	40-69-5 to 40-69-305	Chapter 120-1 to 120-14

The following table includes the other laws governing the agency's operations, including statutes and regulations addressing:

- Licensing & Agency Organization
- Amusement Rides
- Elevators
- Immigration
- Occupational Safety and Health Administration (OSHA)
- State Fire Marshal
- Wages and Child Labor
- Miscellaneous

Table 12. Other laws applicable to LLR.

Law Number (Statute or Reg.)	Requirement	Customer (if specified)
Licensing & Agency Organization		
40-1-10 (A), (B), (C)	Establishes the right of persons to engage in a lawful profession or occupation, limits abridgement of that right, and sets standards for determining the proper degree of regulation of professions and occupations; and outlines the factors the General Assembly needs to weigh when determining if an occupation or profession needs to be regulated.	N/A
40-1-20	Sets forth definitions used in Title 40, Chapter 1 (sometimes referred to as the Engine Act).	N/A
40-1-30	Provides that it is unlawful to engage in a profession or occupation regulated by an LLR administered board or commission without holding a valid authorization to practice, and provides that such authorizations are valid for up to two years and are renewable.	N/A
40-1-40(A),(B),(C)	Creates the Division of Professional and Occupational Licensing and provides that the Boards listed in 40-1-40(B) are to be administered by LLR, but that each regulatory board within LLR is a separate board.	N/A
40-1-40(D)	Establishes LLR as a member of the Governor's Cabinet and provides the Director, who supervises the department, is appointed by the Governor with the advice and consent of the Senate.	N/A
40-1-45	Directs that public and consumer members of professional and occupational licensing boards may not be current, former active or inactive members of the regulated profession or occupation, and that they generally have the same rights as other board members.	N/A
40-1-50(A)	Establishes authority of the Department and Director with respect to the boards. Mandates the Director to annually prepare a report to the Governor and General Assembly indicating those regulated trades, occupations, and professions that do not meet the criteria for regulation.	The boards and commissions outlined in 40-1-40.
40-1-50(B)(C)	Requires LLR to provide records of board proceedings and registry of all licensees and applicants upon request and payment of a fee.	Members of the public who have requested the information.

Law Number (Statute or Reg.)	Requirement	Customer (if specified)
40-1-50(D)	Establishes the framework for the boards' fee structures and future adjustment of fees.	The boards and commissions outlined in 40-1-40.
40-1-50(E)	Authorizes the Director to implement biennial licensure renewal.	N/A
40-1-50(F)	Allows licensing boards to delegate licensing decisions to LLR within established guidelines.	N/A
40-1-50(G)	Authorizes the department to suspend a license for use of a financial instrument that is not honored by the financial institution named.	N/A
40-1-50(H)	Authorizes the Department to suspend a license for a person found to be in violation of the Family Independence Act as it relates to child support enforcement.	Individuals or state agency seeking relief pursuant to the Family Independence Act.
40-1-50(I)	Authorizes LLR to prepare an annual report to the Governor and requires the LLR Director to seek approval of LLR administered boards and commissions at least 30 days before filing with the Legislative Council any proposed changes in rules or regulations which may affect the practice or service of the licensing board or commission.	The Governor
40-1-60 (A), (B),(C), (D)	Provides for election of board officers, minimum number of meetings, quorum requirements, and attendance at meetings by board members	N/A
40-1-70	Establishes the powers and duties of the regulatory boards within LLR.	N/A
40-1-80 (A), (B)	Authorizes the Department to conduct investigations for allegations of professional misconduct, and outlines the Department's investigative subpoena powers.	N/A
40-1-90 (A), (B)	Authorizes the boards to take disciplinary action for allegations of professional misconduct, and authorizes the Department to administer oaths and subpoenas as part of a disciplinary action proceeding.	N/A
40-1-100 (A), (B)	Authorizes the boards to issue cease and desist orders to a person who is violating or intends to violate one of the practice acts and permits the board to seek a temporary restraining order. Also grants the board and Agency immunity for a wrongful temporary restraining order.	N/A
40-1-110	Establishes the additional grounds for a board to take disciplinary action against a licensee.	N/A
40-1-115	Establishes the term of board jurisdiction over actions committed or omitted by current and former licensees during the entire period of licensure.	N/A
40-1-120 (A), (B), (C), (D), and (E)	Authorizes and outlines board sanctions after a finding of misconduct pursuant to a board's licensing act.	N/A
40-1-130	Authorizes a board to deny authorization to practice to an applicant who has committed an act that would be grounds for disciplinary action.	N/A

Law Number (Statute or Reg.)	Requirement	Customer (if specified)
40-1-140	States circumstances under which an authorization to practice may be denied because of a prior criminal conviction.	N/A
40-1-150	Provides for voluntary surrender of an authorization to practice.	N/A
40-1-160	Provides for appeal of a board decision to the Administrative Law Court.	N/A
40-1-170 (A), (B), (C), (D), and (E)	Authorizes assessment of costs of investigation and prosecution for disciplinary cases against licensees.	N/A
40-1-180 (A), (B)	Establishes consequences of failure to pay fines or costs and requires LLR to remit collected fines and costs to the State Treasurer for deposit in a special fund for LLR's use to defray costs of investigations and hearings.	N/A
40-1-190 (A), (B), and (C)	Provides that any communications by a board or LLR are privileged; permits respondent to have access to the charges and evidence filed; and provides that final orders are public information.	N/A
40-1-200	Makes unlicensed practice or fraudulently obtaining a license a misdemeanor punishable by up to a year imprisonment or a fine of up to \$50,000.	N/A
40-1-210	Authorizes the Agency to institute a proceeding for injunctive relief against a person violating Title 40 or an order of the board.	N/A
40-1-220	Provides that the invalidity of a portion of Chapter 1 of Title 40 does not invalidate the remaining unaffected provisions.	N/A
40-1-610 to 40-1-640	Licensure Provisions for Military Personnel and Spouses. Exempts licensees on active military duty from continuing education requirements and license fees, authorizes temporary licenses for spouses of active duty U.S. military assigned to a duty station in SC, and authorizes licensing boards to consider certain military education, training and experience for satisfaction of licensing requirements.	Military personnel and spouses who meet the statutory requirements.
Chapter 10-1 to 10-42	Chapter 10 establishes in regulation the fees charged by most of the professional and occupational licensing boards and commissions administered by LLR	Agency Licensees
Amusement Rides		
41-18-10 to 41-18-360	Amusement Rides; "South Carolina Amusement Rides Safety Code" establishes the division's authority to regulate the safe operation of the state's amusement rides and related equipment.	Amusement device owners and operators
71-4000 to 71-4950	Amusement Rides; establishes how the Division exercises its authority to regulate the safe operation of the state's amusement rides and related equipment.	Amusement device owners and operators

Law Number (Statute or Reg.)	Requirement	Customer (if specified)
Proviso 81.13 (LLR: Amusement Park Rides), 2017-2018 S.C. Appropriations Act, Part 1B.	For the current fiscal year, prohibits LLR from enforcing provisions contained in Chapter 18, Title 41 of the 1976 Code, relating to amusement park rides, against open-wheel motorsport vehicles, karts, superkarts, gearbox or shifter karts, or go karts used for racing at speeds in excess of fifty miles per hour.	N/A
Elevators		
41-16-10 to 41-16-180	Elevators; "South Carolina Elevator Code" establishes the Division's authority to regulate and issue annual certificates regarding the safe installation, maintenance and operation of the state's elevators and related equipment.	Elevator owners and operators
71-5000 to 71-5900	Elevators; establishes how the Division exercises its authority to regulate the safe operation of the state's elevators and related equipment.	Elevator owners and operators
Immigration		
41-8-10 to 41-8-140	Immigration - Illegal Aliens and Private Employment; establishes this Division's authority to regulate the verification of workers within the state.	Licensees and individuals who file a complaint.
71-10000 to 71-10003	Establishes how the Division exercises its authority to discipline employers who fail to E-Verify employees and immigration assistance services who fail to comply with the law.	N/A
8-29-10 (A) - (L)	Requires LLR verify the lawful presence in the U.S. through SAVE of any alien 18 years of age or older who has applied for a state benefit (occupational or professional license).	Applicants for a professional or occupational license who are aliens 18 years of age or older.
Proviso 81.8 (LLR: Immigration Bill Funding Report), 2017-2018 S.C. Appropriations Act, Part 1B.	Prior to any funds carried forward from the prior fiscal year in Subfund 3135 being transferred to fund any other purpose, requires LLR to retain \$250,000 to fund the department's responsibilities under the South Carolina Illegal Immigration Reform Act. Requires LLR to compile an accountability report outlining expenditures of the Immigration Bill funding to be issued to the President Pro Tempore of the Senate, the Chairman of the Senate Finance Committee, the Chairman of the Senate Finance Natural Resources and Economic Development Subcommittee, the Speaker of the House of Representatives, the Chairman of the House Ways and Means Committee, and the Chairman of the House Ways and Means Transportation and Regulatory Subcommittee. That report must be issued on the first Tuesday of February in the current fiscal year.	President Pro Tempore of the Senate, Chairman of the Senate Finance Committee, Chairman of the Senate Finance Natural Resources and Economic Development Subcommittee, the Speaker of the House of Representatives, the Chairman of the House Ways and Means Committee, and the Chairman of the House Ways and Means Transportation and Regulatory Subcommittee

Law Number (Statute or Reg.)	Requirement	Customer (if specified)
Proviso 81.10 (LLR: Illegal Immigration Hotline Assistance), 2017-2018 S.C. Appropriations Act, Part 1B.	Upon the request of the Commission on Minority Affairs, the Department of Labor, Licensing, and Regulation shall provide assistance to establish and maintain a twenty-four hour toll free telephone number and electronic website to receive, record, collect, and report allegations of violations of federal immigration laws or related provisions of South Carolina law by any non-United States citizen or immigrant, and allegations of violations of any federal immigration laws or related provisions in South Carolina law against any non-United States citizen or immigrant.	N/A
Occupational Safety and Health Administration (OSHA)		
41-15-80 To 41-15-100	OSHA; establishes the Division's authority to maintain/regulate the health and safety of the state's workers in the workplace.	Licensees and individuals who file a complaint.
41-15-80 to 41-15-100	OSHA, establishes the Division's authority to maintain/regulate the health and safety of the state's workers in the workplace.	State workforce (employers and employees)
41-15-210 to 41-15-330	OSHA; establishes Division's authority to promulgate, modify and/or revoke the rules and regulations to be utilized in the maintenance and regulation of the health and safety of the state's workers as well as identifies such rules used.	State workforce (employers and employees)
41-15-510 and 41-15-520	OSHA; establishes the Division's authority to address the rights and remedies of aggrieved employees through the whistleblower program.	State workforce (employers and employees)
71-100 to 71-113	OSHA; establishes how the Division can exercise its authority to maintain/regulate the health and safety of the state's workers in the workplace in more detail.	State workforce (employers and employees)
71-200 to 71-223	OSHA; establishes how the Division can exercise its authority to maintain/regulate the health and safety of the state's workers in the workplace specifically dealing with the requests for variances, limitations, variations, tolerance and other exemptions.	State workforce (employers and employees)
71-300 to 71-346	OSHA; establishes how the Division can exercise its authority to maintain/regulate the health and safety of the state's workers in the workplace specifically dealing with recordkeeping and reporting of specific injuries and illnesses.	State workforce (employers and employees)
71-400 to 71--411	OSHA; establishes how the Division can exercise its authority to maintain/regulate the health and safety of the state's workers in the workplace specifically dealing with the enforcement of violations.	State workforce (employers and employees)
71-500 to 71-512	OSHA; establishes how the Division can exercise its authority to maintain/regulate the health and safety of the state's workers in the workplace specifically dealing with the inspection process and procedures.	State workforce (employers and employees)

Law Number (Statute or Reg.)	Requirement	Customer (if specified)
Chapter 71, Article 1, Subarticle 6	OSHA; identical to Federal Regulations identified in item 15 but editor's note includes the "modifications"; establishes health and safety standards for general industry employers.	General Industry employers and employees, Public Sector Marine Terminal employers and employees
Chapter 71, Article 1, Subarticle 7	OSHA; identical to Federal Regulations identified in item 16 but editor's note includes the "modifications"; establishes health and safety standards for construction employers.	Construction employers and employees
Chapter 71, Article 1, Subarticle 8	OSHA; identical to Federal Regulations identified in item 17; establishes health and safety standards for agriculture employers.	Agriculture employers and employees
71-900 to 71-912	OSHA; establishes how the Division can exercise its authority to maintain/regulate the health and safety of the state's workers in the workplace, specifically dealing with access to employee medical records.	State workforce (employers and employees)
71-1001 to 71-1021	OSHA; establishes how the Division can exercise its authority to address the rights and remedies of aggrieved employees in discrimination cases.	State workforce (employers and employees)
71-1100 to 71-1108	OSHA; establishes how the Division can exercise its authority to maintain/regulate the health and safety of the state's workers in the workplace specifically dealing with the release and/or disclosure of sensitive, secret and/or confidential information.	State workforce (employers and employees)
29 CFR 1910	OSHA; all applicable standards which have been adopted and/or modified by the state (See #9/State regulations that mirror) establish specific health and safety standards for general industry employers.	General Industry employers and employees, Public Sector Marine Terminal employers and employees
29 CFR 1926	OSHA; all applicable standards which have been adopted and/or modified by the state (See #10/State regulations that mirror) establish specific health and safety standards for construction employers.	Construction employers and employees
29 CFR 1928	OSHA; all applicable standards which have been adopted by the state (See #11/State regulations that mirror) establish specific health and safety standards for agriculture employers.	Agriculture employers and employees
29 USC 2	OSHA/Labor; establishes BLS and annual generation of injury and illness reports.	Industry, Government Agency
Proviso 81.7 (LLR: Flexibility), 2017-2018 S.C. Appropriations Act, Part 1B.	Authorizes LLR to spend Agency earmarked and restricted accounts to maintain OSHA programs previously funded with general fund appropriations. Any increase in spending authorization for these purposes must receive the prior approval of the Executive Budget Office.	N/A

Law Number (Statute or Reg.)	Requirement	Customer (if specified)
State Fire Marshal		
23-9-20	Establishes the duties and authority of the State Fire Marshal.	N/A
23-9-25(A) to (G)	Establishes the Volunteer Strategic Assistance and Fire Equipment Program and authorizes the Fire Marshal to administer the grants.	Chartered Fire Departments
23-9-30 (a),(b)	Authorizes the State Fire Marshal to certify resident fire marshals to act under the authority of the State Fire Marshal.	Resident fire marshals and those seeking to become resident fire marshals.
23-9-40 (a) to (f)	Establishes the laws and ordinances the Fire Marshal is statutorily obligated to enforce.	N/A
23-9-45 (A) to(C)	Authorizes the Fire Marshal to issue and charge a fee for fire equipment licenses and permits.	Applicants and current Class D fire equipment dealer licensees or permit holders.
23-9-50(a) to (c); 23-9-60	Establishes the Fire Marshal's authority to inspect buildings or premises; and mandates the Fire Marshal require conformance with fire prevention and protections based on nationally recognized standards.	N/A
23-9-65	Authorizes the Fire Marshal to promulgate regulations to implement the automatic fueling clips on self-service gasoline dispensers.	N/A
23-9-70 to 23-9-120	Outlines the appeal process from an order of the State Fire Marshal; authorizes assessments of penalties; establishes subpoena power; establishes a duty to report to local law enforcement; and establishes public's access to records and retention schedule.	N/A
23-9-130 to 23-9-140	Authorizes State Fire Marshal to disseminate information concerning causes and prevention of fires, and provides the expenses are to be paid by the State.	N/A
23-9-150	Establishes procedure for Fire Marshal's declaration of "Unsafe Building."	N/A
23-9-155	Authorizes the Fire Marshal to promulgate regulations governing the installation of smoke detectors in apartments and houses having no fire protection system.	N/A
23-9-157 to 23-8-180	Establishes procedure for Fire Marshal to issue a "Notice of Violation" concerning an unsafe buildings, and allows the Fire Marshal to seek injunctive relief.	N/A
23-9-190	Establishes Fire Marshal's emergency powers concerning unsafe buildings.	N/A
23-9-510 to 23-9-570	Establishes the South Carolina Hydrogen Permitting Program, and authorizes the Fire Marshal to permit, license, and inspect.	Members of the public and they hydrogen and fuel cell industry.

Law Number (Statute or Reg.)	Requirement	Customer (if specified)
71-8300	Fire and Life Safety Regulations establish the codes and standards for fire prevention and life safety for construction, occupancy and use of buildings other than one or two family dwellings, authorize the State Fire Marshal to investigate complaints for violations of such regulations, and to seek injunctive relief for violations; authorizes the State Fire Marshal to declare buildings unsafe and order evacuation; authorizes the State Fire Marshal to accept alternative methods of compliance; provides for incident reporting to the State Fire Marshal; and provides for State Fire Marshal review of construction documents and shop drawings of fire sprinkler systems, LP Gas systems, hydrogen facilities, and facilities that the State Fire Marshal is contractually obligated to review.	Members of the public, Fire sprinkler contractors
71-8302	Explosive regulations establish codes and standards applicable to the manufacture, transportation, handling, use and storage of explosives other than sale or storage of fireworks regulated by the Board of Pyrotechnic Safety; provide for licensing of blasters and issuance of permits for blasting by the State Fire Marshal and fees for the same; establish recordkeeping requirements for blasts; establish safety and operational requirements for blasting; provide for investigations by the State Fire Marshal; and authorize the State Fire Marshal to grant, modify and revoke variances of certain provisions of the regulations.	Certain users of fireworks and explosives
71-8301	Fire and Life Safety Regulations for Special Occupancies establish the codes and standards for fire prevention and life safety for day care facilities and foster homes; and require the State Fire Marshal to work with local resident fire marshals to ensure regular fire and life safety inspections are conducted for all public schools that are subject to the regulations and to work in conjunction with the State Department of Education to ensure inspection of each new school is conducted prior to occupancy.	Schools, daycare facilities and individuals who wish to become foster parents
71-8303	Portable Fire Extinguishers and Fixed Fire Extinguishing Systems regulations regulate the leasing, renting, reselling, servicing and testing of portable fire extinguishers and installation, testing and servicing of fixed fire extinguishing systems; and establish the State Fire Marshal's mandatory licensing and permitting requirements of individuals and firms; provide for the investigation of complaints against licensed persons or permit holders, and the imposition of fines, administrative sanctions or suspension or revocation of licenses and permits.	licensees
71-8306	Hydrogen Facilities regulations regulate the handling, use storage, transfer and dispensing at a hydrogen facility; establish the applicable codes and standards; and provide for Fire Marshal review of plans and specifications for hydrogen facilities, licensing and permitting and inspection of hydrogen facilities, and applicable fees.	Hydrogen facility licensees
23-49-10 to 23-49-120	Creates the South Carolina Firefighter Mobilization Committee and requires the committee to establish the Firefighter Mobilization Plan and Emergency Response Task Force Plan.	N/A

Law Number (Statute or Reg.)	Requirement	Customer (if specified)
23-10-10 to 23-10-20	Establishes the South Carolina Fire Academy and Fire Academy Advisory Committee; and allows for purchase of uniforms.	South Carolina's paid, volunteer, and industrial fire service personnel.
23-35-45; 23-35-150	Regulates the use of pyrotechnic materials indoors; and outlines penalties for violation of chapter.	Owner or operator of establishment where the indoor pyrotechnics are used.
23-51-10 to 23-51-110	Reduced Cigarette Ignition Propensity Standards and Firefighter Protection Act.	N/A
23-36-10 to 23-36-170	Establishes the license and permit structure for dealers and blasters of explosive materials.	Class I and Class II Dealers, and Blasters.
40-80-10 to 40-80-70	Requires the State Fire Marshal to maintain a file on each registered firefighter that includes certain information.	South Carolina firefighters
5-190	Provides that heaters or heating elements used at the State Farmers Market are subject to inspection by the Fire Marshal's Office.	N/A
6-9-110	Requires the State Fire Marshal to certify designated personnel of the State Engineer's Office, after completing training, to exercise the powers and jurisdictional authority of the State Fire Marshal for state buildings	Designated personnel of the State Engineer's Office
24-9-20	Requires a representative of the State Fire Marshal in conjunction with the Jail and Prison Inspection Division of the Department of Corrections to annually inspect jails and prisons for fire safety, and to prepare a written report.	N/A
Act 60 of 2001, Section 2	Directs the Department of Insurance to impose a tax of thirty-five one-hundredths percent on fire insurance companies for capital improvements to the State Fire Academy.	N/A
Proviso 81.1 (LLR: Fire Marshal-Authorization to Charge Fees for Training), 2017-2018 S.C. Appropriations Act, Part 1B.	The Fire Academy may charge participants a fee to cover the cost of education, training programs, and operations. The revenue generated may be applied to the cost of operations, and any unexpended balance may be carried forward to the current fiscal year and utilized for the same purposes.	N/A
Proviso 81.4 (LLR: Fire Marshal Fallen Firefighters Memorial), 2017-2018 S.C. Appropriations Act, Part 1B.	Division of the State Fire Marshal is authorized to accept gifts or grants of services, properties, or monies from individuals or public and private organizations to honor South Carolina firefighters who have died in the line of duty. All excess monies collected to erect a memorial are to be placed in a fund for upkeep and maintenance. Any later contributions are to be used for upkeep and maintenance.	N/A

Law Number (Statute or Reg.)	Requirement	Customer (if specified)
Proviso 81.5 (LLR: Firefighter Mobilization Project), 2017-2018 S.C. Appropriations Act, Part 1B.	Directs LLR to utilize \$165,000 of the funds derived under Section 2 of Act 1377 of 1968, as amended by Act 60 of 2001 from the tax of thirty-five one-hundredths percent imposed annually on the gross premium receipts less premiums returned on canceled policy contracts and less dividends and returns of unabsorbed premium deposits of all fire insurance companies doing business in the State to fund the Firefighter Mobilization Project.	N/A
Proviso 81.12 (LLR: Office of State Fire Marshal-Clothing), 2017-2018 S.C. Appropriations Act, Part 1B.	LLR is authorized to purchase and issue clothing to the non-administrative staff of the Office of the State Fire Marshal that are field personnel working in a regulatory aspect and/or certified to be a resident state fire marshal.	N/A
Wages and Child Labor		
41-13-5 to 41-13-60	Child Labor; establishes the Division's authority to manage/regulate child labor in the state.	State's children
71-3100 to 71-3111	Child Labor; establishes how the Division exercises its authority to manage/regulate child labor in the state.	State's children
41-10-10 to 41-10-110	Payment of Wages; establishes the division's authority to manage/regulate the payment of wages to employees within the state.	State workforce (employers and employees)
71-6000	Payment of Wages; establishes how the division exercises its authority to manage/regulate the payment of wages within the state.	State workforce (employers and employees)
Miscellaneous		
27-29-10 to 27-29-210	Uniform Land Sales Practices Act. Requires registration with the Real Estate Commission prior to sale in this state of undeveloped, subdivided land located out of state, and review by the Commission of that registration. Annual renewal reports are also required. Applications include among other things, public offering statements, copies of deeds, statement of condition of title and other information relevant to purchasers of the property; provides for investigative power by the Commission, and creates a procedure for revocation of a registration.	Registrants for undeveloped, subdivided land located out-of-state that meet the criteria outlined in Chapter 29 of Title 27.

Law Number (Statute or Reg.)	Requirement	Customer (if specified)
27-32-10 to -27-32-360	Vacation Time Sharing Plans. Requires the registration of time sharing plans with the Real Estate Commission prior to sale in this state and provides for review by the Commission; sets forth requirements for sale and closing of timeshare interests, including contract requirements, disclosure and rescission rights, and escrow funds; creates the Time Sharing Recovery Fund administered by the Commission; provides for investigative power by the Commission and creates a procedure for revocation of a registration. Also requires the registration of persons selling timeshares, excluding regular employees of the seller of the timeshares.	Time share plan entities and sellers; purchasers of time share plans.
Chapter 105-2 to 105-3	Timeshare Regulations of the Real Estate Commission clarify certain types ownership interests that are considered time sharing ownership or interval ownership plans and provide that the act does not prevent sale of time sharing plan receivables.	N/A
44-130-40	Allows pharmacists to dispense Naloxone pursuant to a written joint protocol issued by the South Carolina Board of Medical Examiners and the South Carolina Board of Pharmacy. That protocol allows pharmacists to register as voluntary participants via the www.naloxonesavessc.org website, which was created by and is maintained by LLR.	Pharmacists
Act 268 of 204, Section 6	Directs the LLR Director to submit an annual report to Chairmen of the Senate and House Committees concerning the workload of the Administrator for the Accountancy Board.	Chairmen of the House and Senate LCI Committees
Proviso 81.3 (LLR: POLA - Ten Percent, Other Funds), 2017-2018 S.C. Appropriations Act, Part 1B.	Remission of Funds in Program II.F. Professional and Occupational Licensing must remit annually an amount equal to ten percent of the expenditures to the general fund. The Contractor's Licensing Board must remit all revenues above their expenditures to the general fund. The revenue remitted by the Contractor's Licensing Board to the general fund includes the ten percent.	N/A
Proviso 81.6 (LLR: Match for Federal Funds), 2017-2018 S.C. Appropriations Act, Part 1B.	State appropriations to the Department of Labor, Licensing and Regulation that are required to provide match for federal grant programs in the prior fiscal year may be carried forward into the current fiscal year and expended for the same purpose as originally appropriated.	N/A
Proviso 81.9 (LLR: Authorized Reimbursement), 2017-2018 S.C. Appropriations Act, Part 1B.	Prohibits LLR from authorizing reimbursement under Section 40-1-50(A) of the 1976 Code to members of any board listed in Section 40-1-40(B) for meetings held at any location other than the offices of the Department unless there has been a determination that the Department is unable to provide space for the meeting in a state-owned or leased facility in Richland or Lexington County.	N/A

Agency Deliverables

In its PER, the agency provides the Committee with a list of deliverables. They are included in Table 13 below.

Table 13. Agency deliverables.

Deliverable	Required/ allowed by law?	Associated Org. Unit	Does agency track...		Does agency know...			Agency allowed to charge a fee?	Greatest potential harm to the public if deliverable is not provided	Recommendations to the General Assembly to help avoid the greatest potential harm	Other agencies where the deliverable may fit
			Outcomes?	Customer satisfaction?	# of potential customers?	# of customers served?	Cost /unit?				
Agency Permits/Certificates (Elevator -new installation and alteration permits and certificates of operation and Amusement Device Permits)	Required	Office of Elevators and Amusement Rides	Yes	No	Yes	Yes	No	Yes	Risk of physical harm and loss of life.	Maintain statutory and regulatory authority.	DHEC
New Elevator Installation and Alterations Inspections	Required	Office of Elevators and Amusement Rides	No	No	Yes	Yes	No	Yes	Risk of physical harm and loss of life.	Maintain statutory and regulatory authority.	DHEC
Elevator and Amusement Ride Audits	Not specifically mentioned	Office of Elevators and Amusement Rides	No	No	No	Yes	No	No	Undetected non-compliance may result in risk of physical harm and loss of life.	Support Elevator and Amusement Ride Audits.	DHEC
Accountancy Board Licenses: Accounting Practitioner and Certified Public Accountant	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose clients to financial risks in business transactions or unsuccessful audits.	Maintain statutory and regulatory authority.	DOR
Architect Licenses	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose the public to the risk of damage to property or bodily harm.	Maintain statutory and regulatory authority.	DHEC

Deliverable	Required/ allowed by law?	Associated Org. Unit	Does agency track...		Does agency know...			Agency allowed to charge a fee?	Greatest potential harm to the public if deliverable is not provided	Recommendations to the General Assembly to help avoid the greatest potential harm	Other agencies where the deliverable may fit
			Outcomes?	Customer satisfaction?	# of potential customers?	# of customers served?	Cost /unit?				
Athletic Commission Licenses: Athletics- Announcer, Athletics –Judge, Athletics –Manager, Athletics – Matchmaker, Mixed martial arts contestant—amateur, Mixed martial arts contestant—professional, Off the street boxer, Professional boxer, Professional kick boxer, Promoter, Promoter's representative, Referee, Second, Timekeeper, Trainer and Wrestler Initial Licenses	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unregulated professionals may give rise to the risk of physical harm to the fighter.	1. Maintain statutory and regulatory authority. 2. Move Board to an agency where it could promote the industry. Unlike other professions under agency umbrella, regulation of Athletics protects the fighter as opposed to the general public, and its revenue is based upon the number of events that occur in South Carolina. This board may be better served if housed within an agency that would allow it to be actively promoting fights to receive revenue.	Dept of Commerce
Auctioneers’ Commission Licenses: Apprentice Auctioneer, Auctioneer, Purebred Livestock Auctioneer, and Tobacco Auctioneer	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose clients to financial risks in business transactions.	Maintain statutory and regulatory authority.	DOR
Barber Examiners Licenses: Barber, Barber Apprentice, Barber Instructor, Hair braider, Manicurist Barber Assistant, Master Hair Care Specialist, Shampooist Barber Assistant, Student Barber	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose clients to unsanitary conditions and biological hazards.	Maintain statutory and regulatory authority.	DHEC
Boiler Safety Program Licenses: Boiler Installers, Certified Boiler Inspectors	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose the public to the risk of damage to property or bodily harm.	Maintain statutory and regulatory authority.	DHEC
Building Codes Council Licenses: Building Code Enforcement Officer (provisional), Building Official, Commercial Inspector, Commercial Plans Examiner, Modular Building Manufacturer's Representative, Residential Inspector, Residential Plans Examiner, Single discipline inspector, Special Inspector	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose the public to the risk of damage to property or bodily harm.	Maintain statutory and regulatory authority.	DHEC

Deliverable	Required/ allowed by law?	Associated Org. Unit	Does agency track...		Does agency know...			Agency allowed to charge a fee?	Greatest potential harm to the public if deliverable is not provided	Recommendations to the General Assembly to help avoid the greatest potential harm	Other agencies where the deliverable may fit
			Outcomes?	Customer satisfaction?	# of potential customers?	# of customers served?	Cost /unit?				
Chiropractic Examiners Licenses: Chiropractic Preceptor, Chiropractor Initial Licenses and Renewals	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may result in bodily harm to patients.	Maintain statutory and regulatory authority.	DHEC, DHHS
Contractors’ Licensing Board Licenses: Contractors - Concrete Contractor - Primary Qualifying Party, Construction Manager- General, Construction Manager- Mechanical, Electrical Mechanical Contractor- Primary Qualifying Party, Fire Alarm Contractor -Primary Qualifying Agent, Fire Alarm Contractor- Registered Employee, Fire Sprinkler Contractor - Primary Qualifying Party, General Roofing Contractor- Primary Qualifying Party, Glass & Glazing Contractor- Primary Qualifying Party, Heating Mechanical Contractor- Primary Qualifying Party, Highway Asphalt Paving Contractor -Primary Qualifying Party, Highway Bridges Contractor- Primary Qualifying Party, Highway Concrete Paving Contractor -Primary Qualifying Party, Highway General Contractor- Primary Qualifying Party, Highway Grading Contractor- Primary Qualifying Party, Highway incidental Contractor, Primary Qualifying Party, Inspector- Commercial, Interior Renovation Contractor -Primary Qualifying Party, Lighting Protection Systems Mechanical Contractor - Primary Qualifying Party, Marine Contractor, - Primary Qualifying Party, Masonry Contractor, Primary Qualifying Party, Packaged Heating and Cooling Equipment Contractor- Primary Qualifying Party, Pipelines Contractor- Primary Qualifying Party, Plumbing Mechanical Contractor, Primary Qualifying Party, Pre-Engineered Metal Buildings Contractor - Primary Qualifying Party, Pressure and Process Piping Mechanical Contractor- Primary Qualifying Party, Public Utility Electrical Contractor- Primary Qualifying Party, Public Utility General Contractor- Primary Qualifying Party, Railroad Lines Contractor- Primary Qualifying Party, Refrigeration Mechanical Contractor -Primary Qualifying Party, Specialty Roofing Contractor- Primary Qualifying Party, Structural Framing Contractor-Primary Qualifying Party, Structural Shapes Contractor- Primary Qualifying Party, Swimming Pools Contractor-Primary Qualifying Party, Water and Sewer Lines General Contractor- Primary Qualifying Party, Water and Sewer Plants Contractor -Primary Qualifying Party	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may result in property damage or bodily harm.	Maintain statutory and regulatory authority.	DHEC

Deliverable	Required/ allowed by law?	Associated Org. Unit	Does agency track...		Does agency know...			Agency allowed to charge a fee?	Greatest potential harm to the public if deliverable is not provided	Recommendations to the General Assembly to help avoid the greatest potential harm	Other agencies where the deliverable may fit
			Outcomes?	Customer satisfaction?	# of potential customers?	# of customers served?	Cost /unit?				
Cosmetology Licenses: Cosmetologist, Esthetician, Instructor - Cosmetologist, Instructor – Esthetician, Instructor - Nail Technician, and Nail Technician	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose clients to unsanitary conditions and biological hazards	Maintain statutory and regulatory authority.	DHEC
Counselors, Marriage and Family Therapists, Addiction Counselors and Psycho-Educational Specialists Licenses: Marriage and Family Therapist, Marriage and Family Therapist Intern, Marriage and Family Therapy Supervisor, Professional Counselor, Professional Counselor Intern, Professional Counselor Supervisor, and Psycho-Educational Specialist	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose clients to psychological, mental or emotional damage.	Maintain statutory and regulatory authority.	DHEC, DAODAS, DSS, DMH
Dentistry Licenses: Dental Instructor, restricted (professor), Dental Assistant, Expanded Duty for Nitrous Oxide Monitoring, Dental Auxiliary Instructor, restricted (technical colleges), Dental Hygienist, Dental Hygienist, Nitrous Oxide Monitoring Certified, Dental Orthodontic Technician, Dental Technician, Dental Hygienist, Local Infiltration Anesthesia Administration Certified, Dentist, Deep Sedation Permitted, Dentist, General, Dentist, Moderate Sedation Permitted, Dentist, Sedation (Deep and Moderate) Provider, Dentist, Specialty (for each specialty recognized by American Dental Association), Mobile and Portable Dental Units	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose patients to risk of personal injury or loss of life.	1. Maintain statutory and regulatory authority.	DHEC, DEA
Dietician Licenses	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose the public to risk of personal injury or loss of life.	Maintain statutory and regulatory authority.	DHEC
Engineers/Surveyors Licenses: Engineer -Associate, Engineer –Professional, Engineer-in-Training, Surveyor in training, Surveyor - Geographic Information Systems (GIS), Surveyor- Land (Tier A), Surveyor - Land (Tier B), and Surveyor- Photogrammetry	Required		Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose the public to the risk of damage to property or bodily harm.	Maintain statutory and regulatory authority.	DHEC

Deliverable	Required/ allowed by law?	Associated Org. Unit	Does agency track...		Does agency know...			Agency allowed to charge a fee?	Greatest potential harm to the public if deliverable is not provided	Recommendations to the General Assembly to help avoid the greatest potential harm	Other agencies where the deliverable may fit
			Outcomes?	Customer satisfaction?	# of potential customers?	# of customers served?	Cost /unit?				
Environmental Certification Licenses: Bottled Water Class Operator, Wastewater treatment operator biological Class D, Wastewater treatment operator physical/chemical Class B, Wastewater treatment operator physical/chemical Class C, Wastewater treatment operator physical/chemical Class D, Wastewater treatment operator, biological Class A, Wastewater treatment operator, biological Class B, Wastewater treatment operator, biological Class C, Wastewater treatment operator, biological trainee, Wastewater treatment operator, physical/chemical Class A, Wastewater treatment operator, physical/chemical trainee, Water distribution system operator Class A, Water distribution system operator Class B, Water distribution system operator Class C, Water distribution system operator Class D, Water distribution system trainee, Water treatment operator Class E, Water treatment operator trainee, Water treatment operator, Class A, Water treatment operator, Class B, Water treatment operator, Class C, Water treatment operator, Class D, Well Driller Borer (non-environmental), Well Driller Class A (can do all three subclassifications), Well Driller, Coastal Class B, Well Driller, Coastal Class C, Well Driller, Coastal Class D, Well Driller, Environmental Class B, Well Driller, Environmental Class C, Well Driller, Environmental Class D, Well Driller, Rock Class B, Well Driller, Rock Class C, Well Driller, Rock Class D		Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes		Unlicensed or unprofessional practice may expose the public to environmental hazards, property damage and personal injury.	Maintain statutory and regulatory authority.	DHEC, DNR
Forester Licenses	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose the public to property damage.	Maintain statutory and regulatory authority.	DHEC, DNR, Forestry Comm.
Funeral Service Licenses: Embalmer, Embalmer Apprentice, Embalmer Student, Funeral Director, Funeral Director Apprentice, Funeral Director Student	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose the public to environmental hazards, property damage and personal injury. Financial harm and/or fraud.	Maintain statutory and regulatory authority.	DHEC

Deliverable	Required/ allowed by law?	Associated Org. Unit	Does agency track...		Does agency know...			Agency allowed to charge a fee?	Greatest potential harm to the public if deliverable is not provided	Recommendations to the General Assembly to help avoid the greatest potential harm	Other agencies where the deliverable may fit
			Outcomes?	Customer satisfaction?	# of potential customers?	# of customers served?	Cost /unit?				
Landscape Architects Licenses	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose the public to property damage.	Maintain statutory and regulatory authority.	DHEC and DNR
Liquefied Petroleum Gas Board Licenses: LP Gas Appliance and Equipment Installer/servicer- Qualifying employee, LPG Cylinder Exchange Facility Qualifying Employee, LPG Dealer- Qualifying employee, LPG Reseller- Qualifying employee, LPG Transporter- Qualifying employee, and LPG Utility Gas Plant- Qualifying employee	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose the public to environmental hazards, property damage and personal injury.	Maintain statutory and regulatory authority.	DHEC, Office of Regulatory Staff Energy Office
Long Term Health Care Administrators Licenses: Community Residential Care Administrator, Community Residential Care Administrator Trainee (AIT), Community Residential Care Facility Administrator Preceptor, Nursing Home Administrator, Nursing Home Administrator Preceptor, and Nursing Home Administrator Trainee	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose patients to risk of property damage, personal injury or loss of life.	Maintain statutory and regulatory authority.	DHEC, DSS, DMH
Manufactured Housing Board Licenses: Manufactured Home Contractor, Manufactured Home Dealer - Authorized Official, Manufactured Home Installer, Manufactured Home Multi-Lot Salesperson, Manufactured Home Repairer, Manufactured Home Retail Salesman, and Manufactured Home Salesperson Apprentice	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose the public to risk of property damage, personal injury or loss of life.	Maintain statutory and regulatory authority.	DHEC
Massage/Bodywork Therapist Licenses	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose the public to risk of property damage or personal injury.	Maintain statutory and regulatory authority.	DHEC
Board of Medical Examiners Licenses: Acupuncturist, Anesthesiologist's Assistant, Auricular Detoxification Therapist, Auricular Therapist, Cardiovascular Invasive Specialist, Medical Professor (academic license), Physician, Physician Assistant, Physician -Limited (training), Respiratory Care Practitioner (therapist or technician)	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose patients to risk of property damage, personal injury or loss of life.	Maintain statutory and regulatory authority.	DHEC, DSS, DAODAS, DMH

Deliverable	Required/ allowed by law?	Associated Org. Unit	Does agency track...		Does agency know...			Agency allowed to charge a fee?	Greatest potential harm to the public if deliverable is not provided	Recommendations to the General Assembly to help avoid the greatest potential harm	Other agencies where the deliverable may fit
			Outcomes?	Customer satisfaction?	# of potential customers?	# of customers served?	Cost /unit?				
Nursing Licenses: Advanced Practice Registered Nurse with Prescription Privileges, Nurse Anesthetist, Nurse Midwife, Nurse Practitioner, Nurse Specialist – Clinical, Nurse- Licensed Practical, Nurse -Registered	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes		Yes		Unlicensed or unprofessional practice may expose patients to risk of property damage, personal injury or loss of life.	Maintain statutory and regulatory authority.	DHEC, DSS, DAODAS, DMH
Occupational Therapist and Occupational Therapy Assistant Licenses	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose patients to risk of property damage, personal injury or loss of life.	Maintain statutory and regulatory authority.	DHEC
Opticianry Licenses: Apprentice Optician, Contact Lens Optician, Optician and Optometrist- Therapeutic	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose patients to risk of property damage, personal injury or loss of life.	Maintain statutory and regulatory authority.	DHEC
Optometrist Licenses	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose patients to risk of property damage, personal injury or loss of life.	Maintain statutory and regulatory authority.	DHEC
Pharmacy Licenses: Pharmacist, Pharmacy Intern, Pharmacy Technician –Certified, Pharmacy Technician-Registered	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose patients to risk of property damage, personal injury or loss of life.	Maintain statutory and regulatory authority.	DHEC, DMH
Physical Therapist, Physical Therapy Assistant Licenses	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose patients to risk of property damage, personal injury or loss of life.	Maintain statutory and regulatory authority.	DHEC, DHHS
Pilotage Licenses: Apprentice Pilot, First Short Branch Pilot, Fourth Short Branch Pilot, Harbor (full branch) Pilot, Second Short Branch Pilot-Third Short Branch Pilot	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose patients to risk of property damage, personal injury or loss of life.	Maintain statutory and regulatory authority.	DHEC, SC Ports Authority
Podiatry Examiners Licenses: Podiatrist, Podiatrist, training (limited license)	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose patients to risk of property damage, personal injury or loss of life.	Maintain statutory and regulatory authority.	DHEC

Deliverable	Required/ allowed by law?	Associated Org. Unit	Does agency track...		Does agency know...			Agency allowed to charge a fee?	Greatest potential harm to the public if deliverable is not provided	Recommendations to the General Assembly to help avoid the greatest potential harm	Other agencies where the deliverable may fit
			Outcomes?	Customer satisfaction?	# of potential customers?	# of customers served?	Cost /unit?				
Psychologist Licenses	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose clients to psychological, mental or emotional damage.	Maintain statutory and regulatory authority.	DHEC, DAODAS, DMH
Real Estate Appraisers Licenses: Appraiser- Apprentice, Appraiser-Certified General, Appraiser- Licensed, Appraiser-Mass, General Appraiser-Certified Mass, Residential Appraiser-Certified Mass, Residential Appraiser -Mass	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose clients to financial risks in business transactions and/or audits.	Maintain statutory and regulatory authority.	DOR
Real Estate Commission Licenses: Property Manager, Property Manager-In-charge, Real Estate Broker, Real Estate Broker-In-Charge, Real Estate Instructor, Real Estate Salesperson, Time Share Salesperson, Time Share Plan and Out of State Subdivided Land Sales Registrations	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose the public to financial risks in business and personal transactions and/or audits, as well as potential property damage and personal injury.	Maintain statutory and regulatory authority.	DOR, DHEC
Geologist, Geologist-In-training Licenses	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose the public to potential property damage.	Maintain statutory and regulatory authority.	DHEC, DNR
Residential Builders Commission Licenses: Residential Home Builder, Residential Home Inspector, Certificate of Authorization, Residential Builder, Specialty Contractor— Residential HVAC Heating and Air Conditioning installers and repairers, Residential Stucco Installer, Residential Carpenter, Residential Drywall Installer Contractor, Residential Electrician, Residential Floor Covering Installer, Residential Insulation Installer, Residential Mason, Residential Painter/Wallpaperers, Residential Plumber, Residential Roofer, Residential Vinyl/Aluminum Siding Installer, Builder, Residential Home Inspector, Residential Insulation Installer, Residential Mason, Residential Painter/Wallpaperers, Residential Plumber, Residential Roofer, Residential Vinyl/Aluminum Siding Installer	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose the public to risk of property damage.	Maintain statutory and regulatory authority.	DHEC

Deliverable	Required/ allowed by law?	Associated Org. Unit	Does agency track...		Does agency know...			Agency allowed to charge a fee?	Greatest potential harm to the public if deliverable is not provided	Recommendations to the General Assembly to help avoid the greatest potential harm	Other agencies where the deliverable may fit
			Outcomes?	Customer satisfaction?	# of potential customers?	# of customers served?	Cost /unit?				
Social Work Examiners Licenses: Social Worker-Baccalaureate, Social Worker-Clinical Practice Supervisor, Social Worker-Independent Advanced Practice, Social Worker-Independent Clinical Practice, Social Worker-Independent Advanced Practice Supervisor, Social Worker-Masters	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose the public to psychological, mental or emotional damage, as well as personal injury.	Maintain statutory and regulatory authority.	DHEC, DAODAS, DMH
Soil Classifier, Professional and Soil-Classifier-in-Training Licenses	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose the public to potential property damage and personal injury.	Maintain statutory and regulatory authority.	DHEC, Dept of Agriculture, DNR
Speech-Language Pathology and Audiology Licenses: Audiology Intern, Speech-Language Pathologist, Speech-Language Pathology Assistant, Speech-Language Pathology Intern	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose the public to potential personal injury.	Maintain statutory and regulatory authority.	DHEC, Dept of Education, DSS, DHHS
Pyrotechnic Safety Licenses: Pyrotechnic Operator Commercial Indoor, Pyrotechnic Operator Commercial Outdoor, Pyrotechnic Operator Motion Picture, Pyrotechnic Operator Rockets, Pyrotechnic Operator Trainee, Pyrotechnic Operator Unrestricted, Pyrotechnic displays and Operators	Allowed	Division of Fire and Life Safety -Office of the State Fire Marshal	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose the public to potential environmental hazards, property damage, personal injury and loss of life.	Maintain statutory and regulatory authority.	DHEC, DOR
Veterinary Medical Examiners Licenses: Veterinarian, Veterinary Technician, Veterinarian trainee (temporary license for clinical experience)	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	Yes	Unlicensed or unprofessional practice may expose the public to potential property damage, personal injury and loss of life.	Maintain statutory and regulatory authority.	DHEC, Dept of Agriculture, DNR
SCDC facility compliance inspections	Required	Division of Fire and Life Safety -Office of the State Fire Marshal	Yes	No	Yes	Yes	No	No	Non-compliance creates a risk of bodily injury and environmental hazards.	Maintain statutory and regulatory authority.	SCDC

Deliverable	Required/ allowed by law?	Associated Org. Unit	Does agency track...		Does agency know...			Agency allowed to charge a fee?	Greatest potential harm to the public if deliverable is not provided	Recommendations to the General Assembly to help avoid the greatest potential harm	Other agencies where the deliverable may fit
			Outcomes?	Customer satisfaction?	# of potential customers?	# of customers served?	Cost /unit?				
Facility permits/licenses for: accounting, architectural, auction, engineering, landscape architectural, and surveying firms; contractors and builders; alarm businesses; pharmacies, non-dispensing drug outlets, medical gas and prescription device dispensers; salons; barbershops, cemeteries, funeral establishments; dental sedation offices and mobile dental units, and dealer lots for manufactured housing; real estate appraisal management companies; school approvals for nursing schools, cosmetology schools, barber schools.	Required	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	No	Failure to inspect will result in risk of required equipment to not be on site and possible injury to the consuming public.	Maintain statutory and regulatory authority.	DHEC
Initial, Routine, and Compliance Inspections: Athletic events, pharmacies, salons, barbershops, boilers, funeral establishments, dental sedation offices, cemeteries, manufactured housing dealer lots, real estate offices.	Required	Professional and Occupational Licensing - Office of Investigations and Enforcement	Yes	No	No	Yes	Yes	No	Failure to inspect will result in risk of required equipment to not be on site and possible injury to the consuming public.	Maintain statutory and regulatory authority.	DHEC
Investigations of complaints of misconduct against professional and occupational licensees and permit holders.	Required	Professional and Occupational Licensing - Office of Investigations and Enforcement	Yes	No	No	Yes	Yes	No	Failure to investigate complaints will result in risk of property damage, personal injury and possible loss of life to the consuming public.	Maintain statutory and regulatory authority.	Attorney General's Office, DHEC, SLED
Resolution of allegations of misconduct against licensees through the board-specific disciplinary process	Required	Division of Legal Services	Yes	No	Yes	Yes	No	No	Failure to prosecute misconduct will result in risk of property damage, personal injury and possible loss of life to the consuming public.	Maintain statutory and regulatory authority.	Attorney General's Office, DHEC, SLED
Animal Shelter Registration	Required	Professional and Occupational Licensing - Office of Board Services	No	No	No	Yes	No	No	Failure to register animal shelters will enhance nuisance created by stray animals and may create safety concerns in communities.	Maintain registration requirement.	DNR
E-Verification compliance audits	Not specifically mentioned	Office of Immigration Compliance	Yes	No	Yes	Yes	No	Yes	Non-compliance may destabilize the workforce, lead to undetected identity theft and less job security for families.	Maintain support of e-verification compliance audits.	DOR, DSS

Deliverable	Required/ allowed by law?	Associated Org. Unit	Does agency track...		Does agency know...			Agency allowed to charge a fee?	Greatest potential harm to the public if deliverable is not provided	Recommendations to the General Assembly to help avoid the greatest potential harm	Other agencies where the deliverable may fit
			Outcomes?	Customer satisfaction?	# of potential customers?	# of customers served?	Cost /unit?				
Firefighter/Industrial training	Required	Division of Fire and Life Safety - Fire Academy	Yes	Yes	Yes	Yes	No	Yes	Significant loss of life and/or property, including loss of life of emergency responders.	Maintain statutory and regulatory authority.	SC Tech. College System; Law Enf. Training Council
Hydrogen Permitting and Inspection Program	Required	Division of Fire and Life Safety - Office of State Fire Marshal	Yes	No	No	Yes	No	Yes	Loss of life and/or property.	Maintain statutory and regulatory authority.	DPS, DHEC, SLED
V-SAFE Grant Administration	Required	Division of Fire and Life Safety - Office of State Fire Marshal	Yes	Yes	Yes	Yes	No	No	Decrease response capabilities for volunteer fire departments.	1. Allow peer review panel to establish annual funding priorities for the grant program. 2. Allow OSFM to utilize 3% of the available grant funds, to cover the costs associated with the administration of the program.	Dept of Insurance, DPS, SLED
DSS foster home fire safety and lead inspections, DDSN facility inspections, State Building Inspections	Allowed	Division of Fire and Life Safety - Office of State Fire Marshal	Yes	Yes	Yes	Yes	Yes	Yes	Loss of life and/or property.	Maintain support of contractual relationship between agencies.	Dept of Insurance, DSS, DDSN
Blasters, Explosives, and Fire Equipment Dealers Permits	Required	Division of Fire and Life Safety - Office of State Fire Marshal	Yes	No	No	Yes	Yes	Yes	Loss of life and/or property.	Maintain statutory and regulatory authority.	DPS, DHEC, SLED
Blasters, Explosives, and Fire Equipment Dealers Inspections	Allowed	Division of Fire and Life Safety - Office of State Fire Marshal	Yes	No	No	Yes	Yes	Yes	Loss of life and/or property.	Maintain statutory and regulatory authority.	DPS, DHEC, SLED
Fire Marshal Training and Certificates	Allowed	Division of Fire and Life Safety - Office of State Fire Marshal	Yes	No	No	Yes	No	Yes	Untrained and uncertified fire code officials, leading to substandard and inconsistent enforcement of fire & life safety codes.	Maintain statutory and regulatory authority.	SC Tech. College System; Law Enf. Training Council

Deliverable	Required/ allowed by law?	Associated Org. Unit	Does agency track...		Does agency know...			Agency allowed to charge a fee?	Greatest potential harm to the public if deliverable is not provided	Recommendations to the General Assembly to help avoid the greatest potential harm	Other agencies where the deliverable may fit
			Outcomes?	Customer satisfaction?	# of potential customers?	# of customers served?	Cost /unit?				
Fire Code Enforcement	Required	Division of Fire and Life Safety - Office of State Fire Marshal	Yes	No	No	Yes	No	No	Loss of life and/or property.	Better define the enforcement authority of the State Fire Marshal, to include the ability to issue fines for certain violations.	Dept of Insurance, SLED, DPS
Fire Cause and Origin Investigation	Required	Division of Fire and Life Safety - Office of State Fire Marshal	Yes	No	No	Yes	No	No	Cause and circumstance of fire is not determined and prevention efforts are hampered.	Broaden the scope of Title 23, Chapter 9, Article 2 to include fire cause and origin investigation for fires not caused by arson.	Dept of Insurance, SLED, DPS
Determine Eligibility for Income Tax Deduction by Volunteers	Required	Division of Fire and Life Safety - Office of State Fire Marshal	Yes	No	Yes	Yes	No	No	Decrease in number of volunteer firefighters in SC communities.	Maintain statutory and regulatory authority.	DOR
Administration of Firefighter Mobilization Plan	Required	Division of Fire and Life Safety - Emergency Response Task Force	Yes	Yes	No	Yes	No	No	Loss of life and/or property.	Maintain statutory and regulatory authority.	Adjutant General's Office
Registration of Firefighters	Required	Division of Fire and Life Safety - Fire Academy	Yes	No	No	Yes	No	No	Non-qualified firefighters and/or firefighters with a significant criminal history (including arson) serving our communities.	Define minimum training standards for firefighters, fire chiefs, and other rescue personnel, based on the activities each group is expected to perform.	SC Tech. College System; Law Enf. Training Council
LP Gas and Pyrotechnic Retailer Licensing Inspections	Required	Division of Fire and Life Safety- Office of State Fire Marshal	Yes	No	No	Yes	Yes	Yes	Loss of life and/or property.	Maintain statutory and regulatory authority.	DPS, DHEC, SLED
Licensure Exams for Professional and Occupational Boards	Required	Professional and Occupational Licensing - Office of Board Services	Yes	No	Yes	Yes	Yes	Yes	Unverified competency prior to licensure may expose the public to risk of property damage, personal injury or loss of life.	Maintain statutory and regulatory authority.	DHEC, DOR, DSS, DNR, Dept of Ag, SLED
Monitor Continuing Educational Requirements for Renewal Licensure	Allowed	Professional and Occupational Licensing - Office of Board Services	Yes	No	Yes	Yes	Yes	No	Unverified demonstration of sustained competency as a condition of license renewal may expose the public to risk of property damage, personal injury or loss of life.	Maintain statutory and regulatory authority.	DHEC, DOR, DSS, DNR, Dept of Agriculture, SLED

Deliverable	Required/ allowed by law?	Associated Org. Unit	Does agency track...		Does agency know...			Agency allowed to charge a fee?	Greatest potential harm to the public if deliverable is not provided	Recommendations to the General Assembly to help avoid the greatest potential harm	Other agencies where the deliverable may fit
			Outcomes?	Customer satisfaction?	# of potential customers?	# of customers served?	Cost /unit?				
License special inspectors for amusement ride and elevator inspections	Required	Office of Elevators and Amusement Rides	Yes	No	Yes	Yes	No	Yes	Unlicensed or unprofessional practice may expose the public to potential property damage and personal injury.	Maintain statutory and regulatory authority.	DHEC, DOR
Make available registry of licensees upon request	Required	Professional and Occupational Licensing - Office of Board Services	No	No	Yes	Yes	No	Yes	Lack of transparency will diminish public confidence in the professions and occupations.	Maintain public access to registry of licensees with limited information.	DHEC, DOR, DSS, DNR, Dept of Ag, SLED
License suspension for Family Independence Act violations	Required	Professional and Occupational Licensing - Office of Board Services	Yes	No	No	Yes	No	No	Failure to enforce child support obligations leads to destabilization of the family unit and deprives the most vulnerable South Carolinians of basic needs.	Maintain statutory authority.	DSS
Temporary professional and occupational licenses for military spouses	Allowed	Professional and Occupational Licensing - Office of Board Services	Yes	No	No	Yes	Yes	No	Failure to accommodate qualified spouses of military service members imposes an undue burden on service members stationed in South Carolina.	Maintain statutory and regulatory authority.	DHEC, DOR, DSS, DNR, Dept of Ag, SLED
Maintain naloxonesavessc.org website to facilitate licensed pharmacists to register and dispense Naloxone Hydrochloride products to persons without a prescription under certain conditions.	Not specifically mentioned	Professional and Occupational Licensing - Office of Board Services	Yes	Yes	Yes	Yes	Yes	No	Failure to maintain this website makes it more difficult for pharmacists, those at risk of opioid overdose and/or their caregivers to access information about the opioid antidote and for pharmacists to register to voluntarily participate in the program to dispense Naloxone without a prescription.	Support LLR's commitment to combat the opioid epidemic.	DAODAS, DHEC, DMH
Consultations (eliminate and prevent workplace injury)	Not specifically mentioned	Division of Occupational Safety and Health Administration	Yes	Yes	Yes	Yes	Yes	No	Employee illness, injury and/or death. The agency would also lose the 21d Federal Grant.	Continued support of OSHA mission.	Workers' Comp. Comm.

Deliverable	Required/ allowed by law?	Associated Org. Unit	Does agency track...		Does agency know...			Agency allowed to charge a fee?	Greatest potential harm to the public if deliverable is not provided	Recommendations to the General Assembly to help avoid the greatest potential harm	Other agencies where the deliverable may fit
			Outcomes?	Customer satisfaction?	# of potential customers?	# of customers served?	Cost /unit?				
Trainings -Employers/Employees	Not specifically mentioned	Division of Occupational Safety and Health Administration	No	No	Yes	Yes	Yes	No	Employee illness, injury and/or death.	Continued support of OSHA mission.	DEW
Closing Conference, inspection/investigation citation	Required	Division of Occupational Safety and Health Administration	No	No	No	No	Yes	No	Employee illness, injury and/or death.	1. Maintain current statutory authority. 2. Continued support of OSHA mission.	Workers' Comp. Comm.
Reports (injury/illness)	Required	Division of Occupational Safety and Health Administration	No	No	No	No	Yes	No	Employee illness, injury and/or death. The agency would also lost the BLS Federal Grant.	Continued support of OSHA mission.	Workers' Comp. Comm.
Rulemaking/Public Hearing/Variance	Required	Division of Occupational Safety and Health Administration	Yes	Yes	No	Yes	Yes	No	Employee illness, injury and/or death. The agency would lose the 23g Federal Grant, and the State of South Carolina would lose its State OSHA plan.	Continued support of OSHA mission.	Workers' Comp. Comm.
Youth Safety Program (OSHA 10 classes, Safety Awareness classes)	Not specifically mentioned	Division of Occupational Safety and Health Administration	No	No	No	Yes	Yes	No	Employee illness, injury and/or death	Continued support of OSHA mission.	Dept of Education
Partnerships/Alliances	Not specifically mentioned	Division of Occupational Safety and Health Administration	No	No	No	Yes	Yes	Yes	Employee illness, injury and/or death.	Continued support of OSHA mission.	Dept of Commerce, DEW
FOIA responses (protection of confidential, sensitive and/or trade secret information)	Required	Division of Occupational Safety and Health Administration	Yes	Yes	No	Yes	Yes	No	Protected information is released.	Maintain current statutory authority.	Dept of Archives and History
Customer service (telephone calls, correspondence, in- person contact)	Not specifically mentioned	Division of Occupational Safety and Health Administration	Yes	Yes	No	Yes	Yes	No	Public including employers and employees would not feel valued and appreciated.	Continued support of OSHA mission.	Dept of Admin.

Deliverable	Required/ allowed by law?	Associated Org. Unit	Does agency track...		Does agency know...			Agency allowed to charge a fee?	Greatest potential harm to the public if deliverable is not provided	Recommendations to the General Assembly to help avoid the greatest potential harm	Other agencies where the deliverable may fit
			Outcomes?	Customer satisfaction?	# of potential customers?	# of customers served?	Cost /unit?				
Compliance Assistance (interpretive letters, technical assistance, guidance documents, custom industry information)	Not specifically mentioned	Division of Occupational Safety and Health Administration	No	No	No	Yes	Yes	No	Employee illness, injury and/or death.	Continued support of OSHA mission.	DEW, Workers' Comp. Comm.
Recognition Programs (VPP/Sharp/Safety Awards)	Not specifically mentioned	Division of Occupational Safety and Health Administration	No	No	No	Yes	Yes	No	Employee illness, injury and/or death.	Continued support of OSHA mission.	DEW, Workers' Comp. Comm., Dept of Commerce
Inspection/Investigation (Eliminate and prevent 11c discrimination and workplace injury)	Required	Division of Occupational Safety and Health Administration	No	No	No	Yes	Yes	No	Employee illness, injury and/or death. The agency would lose the 23g Federal Grant, and the State of South Carolina would lose its State OSHA plan.	Continued support of OSHA mission.	Workers' Comp. Comm., SCHAC
Informal Conference	Required	Division of Occupational Safety and Health Administration							Employee illness, injury and/or death.	1. Maintain current statutory authority. 2. Continued support of OSHA mission.	Workers' Comp. Comm.

ORGANIZATION

Governing Body (i.e. director, commissioners, trustees, etc.)

The Department of Labor, Licensing, and Regulation is a cabinet agency.

Organizational Units

The agency's Program Evaluation Report (PER) includes information about its organizational units.² Every agency has some type of organization and hierarchy. Within the organization are separate units. An agency may refer to these units as departments, divisions, functional areas, cost centers, etc. Each unit is responsible for contributing to the agency's ability to provide services and products.

To ensure agency employees understand how their work contributes to the agency's overall ability to provide effective services and products in an efficient manner, each organizational unit has at least one (and in most cases multiple), objectives, strategies, or goals for which it is solely responsible.

LLR is comprised of ten organizational units: (1) Administration; (2) Technology and Security; (3) Legal Services; (4) Fire and Life Safety - Office of the State Fire Marshal; (5) Fire and Life Safety - Emergency Response Task Force; (6) Fire and Life Safety - South Carolina Fire Academy; (7) Professional and Occupational Licensing - Office of Board Services; (8) Professional and Occupational Licensing - Office of Investigations and Enforcement; (9) Offices of Elevators and Amusement Rides and Immigration Compliance; and (10) Division of Occupational Safety and Health Administration.

The **Administration** organizational unit includes the director's office, communications and governmental affairs, procurement, finance, human resources, support services, records retention, and training and development and provides support services to all LLR program divisions, including responding to inquiries from the public and public officials and handling legislative affairs.

Table 14. LLR Organizational Unit: Administration

Details:	2014-15	2015-16	2016-17
What is the turnover rate?	8%	21.42%	11.32%
Is employee satisfaction evaluated?	No		
Is anonymous employee feedback allowed?	No		
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	Yes		
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	Some		

The **Technology and Security** organizational unit Administers information systems and end-user computing and administers mobile technology with regards to applicable laws and security mandated for agency programs. Table 15 provides additional information about the unit.

Table 15. LLR Organizational Unit: Technology and Security

Details:	2014-15	2015-16	2016-17
What is the turnover rate?	16.67%	7.69%	12.90%
Is employee satisfaction evaluated?	No		
Is anonymous employee feedback allowed?	No		
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	No		
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	N/A		

The **Legal Services** organizational unit includes the Offices of Advice Counsel and Disciplinary Counsel and provides advice and legal services to POL Boards and agency; handles disciplinary cases, appeals, injunctions, and emergency suspensions of licenses; and assists boards in drafting orders, policies, and regulations.

Table 16. LLR Organizational Unit: Legal Services

Details:	2014-15	2015-16	2016-17
What is the turnover rate?	24.14%	33.89%	15.87%
Is employee satisfaction evaluated?	No		
Is anonymous employee feedback allowed?	No		
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	Yes		
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	Some		

The **Fire and Life Safety - Office of the State Fire Marshal** organizational unit conducts inspections to increase compliance with state fire safety regulations, conducts code consultation and plan review services. Table 17 provides additional information about the unit.

Table 17. LLR Organizational Unit: Fire and Life Safety - Office of the State Fire Marshal

Details:	2014-15	2015-16	2016-17
What is the turnover rate?	9.38%	23.88%	16.90%
Is employee satisfaction evaluated?	No		Yes
Is anonymous employee feedback allowed?	No		Yes
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	Yes		Yes
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	All		All

The **Fire and Life Safety - Emergency Response Task Force** organizational unit supports LLR's role in emergency support functions within the State Emergency Response Plan and day-to-day operations. Table 18 provides additional information about the unit.

Table 18. LLR Organizational Unit: Fire and Life Safety - Emergency Response Task Force

Details:	2014-15	2015-16	2016-17
What is the turnover rate?	7.41%	100%	0%
Is employee satisfaction evaluated?	No		
Is anonymous employee feedback allowed?	No		
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	No		
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	Some		

The **Fire and Life Safety - South Carolina Fire Academy** organizational unit provides fire and life safety programs and services, including training in-state and out-of-state fire service personnel. Table 19 provides additional information about the unit.

Table 19. LLR Organizational Unit: Fire and Life Safety - South Carolina Fire Academy

Details:	2014-15	2015-16	2016-17
What is the turnover rate?	13.98%	19.09%	22.97%
Is employee satisfaction evaluated?	No		
Is anonymous employee feedback allowed?	No		
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	Yes		
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	All		

The **Professional and Occupational Licensing - Office of Board Services** organizational unit Oversees the administrative and functional needs of 42 professional and occupational licensing boards. Table 20 provides additional information about the unit.

Table 20. LLR Organizational Unit: Professional and Occupational Licensing - Office of Board Services

Details:	2014-15	2015-16	2016-17
What is the turnover rate?	10.38%	18.57%	14.59%
Is employee satisfaction evaluated?	No		
Is anonymous employee feedback allowed?	No		
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	Yes		
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	Some		

The **Professional and Occupational Licensing - Office of Investigations and Enforcement** organizational unit Investigates complaints involving alleged misconduct by licensees. Table 21 provides additional information about the unit.

Table 21. LLR Organizational Unit: Professional and Occupational Licensing - Office of Investigations and Enforcement

Details:	2014-15	2015-16	2016-17
What is the turnover rate?	19.70%	16.67%	10.60%
Is employee satisfaction evaluated?	No		
Is anonymous employee feedback allowed?	No		
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	Yes		
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	Some		

The **Offices of Elevator and Amusement Rides and Immigration Compliance** organizational unit oversees the application and enforcement of laws related to elevators/amusement rides and immigration compliance. Table 22 provides additional information about the unit.

Table 22. LLR Organizational Unit: Professional and Occupational Licensing - Office of Investigations and Enforcement

Details:	2014-15	2015-16	2016-17
What is the turnover rate?	13.33%	9.52%	0%
Is employee satisfaction evaluated?	No		
Is anonymous employee feedback allowed?	No		
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	Yes		
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	All		

The **Occupational Safety and Health Administration** organizational unit oversees the application and enforcement of state and federal laws related to occupational health and safety. Table 23 provides additional information about the unit.

Table 23. LLR Organizational Unit: Occupational Safety and Health Administration

Details:	2014-15	2015-16	2016-17
What is the turnover rate?	10.62%	5.36%	13.91%
Is employee satisfaction evaluated?	No		
Is anonymous employee feedback allowed?	No		
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	Yes		
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	All		

The turnover rates above include both FTE and state temporary turnover. LLR has provided only FTE turnover (noted below in Table 24) as the agency believes this is a better indicator of employee retention as state temporary employees separate at a higher rate due to the temporary nature of the work and/or position.

Table 24. LLR turnover rate by division, for FTEs and all employees.

Organizational Unit	Turnover Rate					
	FY 14-15		FY 15-16		FY 16-17	
	FTEs	All Employees	FTEs	All Employees	FTEs	All Employees
Administration	4.17%	8%	14.81%	21%	11.54%	11.32%
Dept of Technology and Security	16.67%	16.67%	7.69%	7.69%	12.90%	12.90%
Legal Services	13.33%	24.14%	12.50%	33.89%	3.57%	15.87%
FLS - Office of State Fire Marshal	11.11%	9.38%	17.86%	23.88%	13.11%	16.90%
FLS - Emergency Response Task Force	0.00%	7.41%	100.00%	100.00%	0.00%	0.00%
FLS - SC Fire Academy	21.88%	13.98%	14.93%	19.09%	12.11%	22.70%
POL - Office of Board Services	8.74%	10.83%	12.03%	18.57%	15.09%	14.59%
POL - Office of Investigations and Enforcement	19.67%	19.70%	16.26%	16.67%	11.02%	10.60%
Labor - Elevators/Amusement Rides and Immigration Compliance	0%	13.33%	10%	9.52%	0%	0.00%
Labor - OSHA	10.62%	10.62%	5.36%	5.36%	12.28%	13.91%

Organizational Chart

Figure 3 includes an organizational chart, current as of March 2018. Detail about the organization of each unit can be found in the agency's program evaluation report.

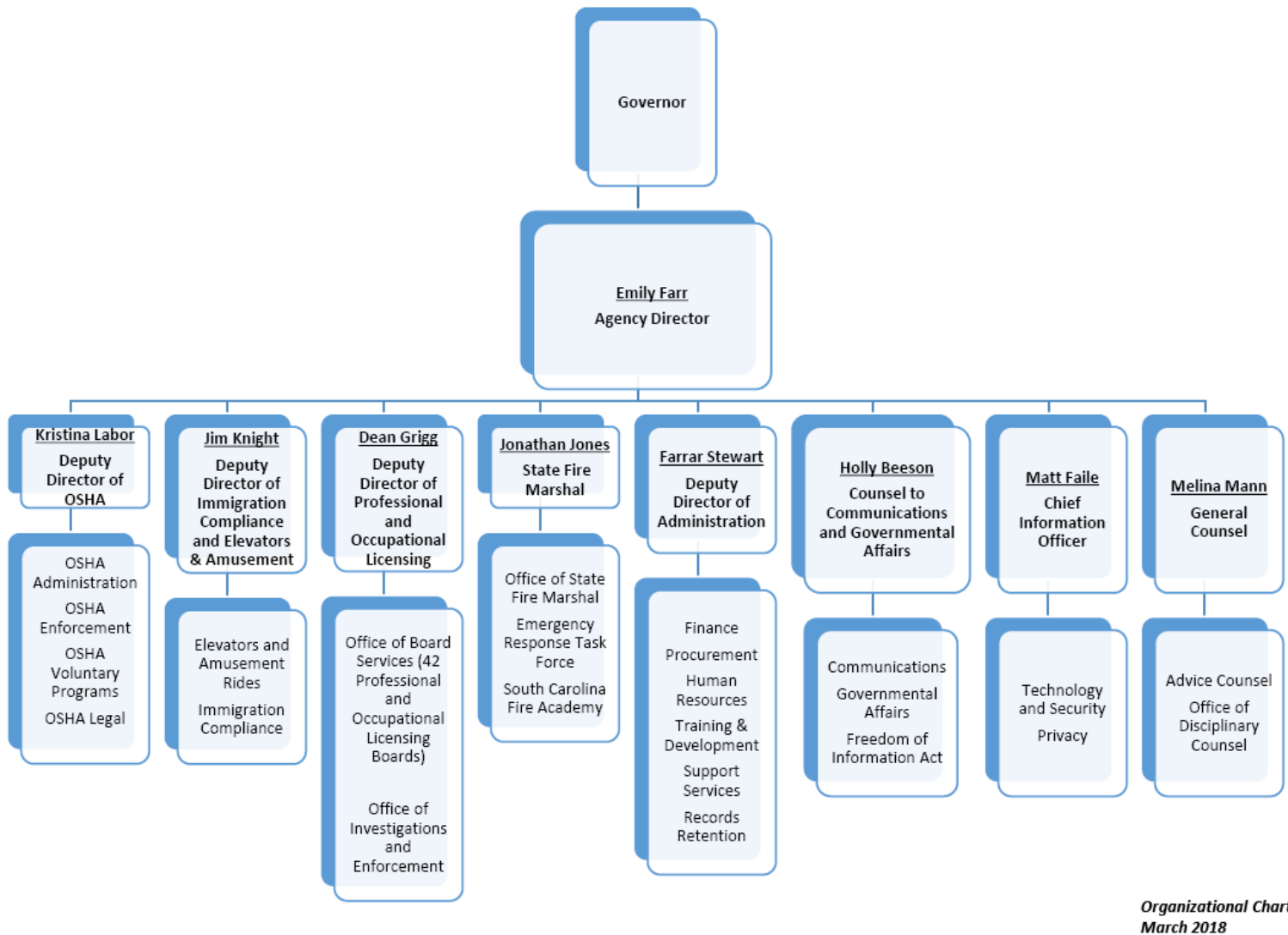


Figure 3. LLR organizational chart.

Internal Audits

In the Program Evaluation Report, the Committee asks the agency to provide information about internal audit process, if it has one.

LLR does not currently employ a full-time auditor; however, the agency regularly conducts finance, human resource, and procurement audits. Beginning in FY15, the agency drafted standard operating procedures in its Administration Division to improve the effectiveness of risk management, control and governance. According to the agency, implementation of these procedures has resulted in fewer audit exceptions in the standard audits conducted by the Office of the State Auditor (annually), Materials Management (every 3 years), and Department of Administration - HR Division (annually).

Procurement - The agency conducts both monthly and annual audits for various functions that fall under the area's purview. For example, there are monthly purchase order audits to ensure that goods and services have been received and invoices paid in a timely manner and within state guidelines. Procurement completes an annual asset inventory and fleet audit along with an internal review of the agency's annual insurance coverage renewal.

Finance - There is a defined workflow to ensure not only a separation of duties, but also a multi-layered review process, to ensure minor variances and timely payment of invoices are priorities.

Human Resources - The agency has created checklists for various internal HR processes and also established separation of duties so that the individual performing the task is not the same individual auditing that the task was completed correctly. Furthermore, the HR Director completes a random monthly audit of the transactions completed to ensure that errors are identified prior to any effect on LLR's internal customer base. Audited HR transactions include recruitment and on-boarding new hires, pay and transfers modifications, and terminations.

More detail can be found in the program evaluation report.

Records Management

In the Program Evaluation Report, the Committee asks the agency if it is current with transferring records, including electronic ones, the Department of Archives and History. The Committee also requests a copy of the agency's records management policy, which can be found in the program evaluation report. LLR's response is below.

Yes. Records retention is an ongoing process, as well as an evolving one reflecting changes in the way data is stored electronically. The Agency communicates regularly with the Department of Archives to ensure continued compliance with records retention requirements.



Committee Mission

Determine if agency laws and programs are being implemented and carried out in accordance with the intent of the General Assembly and whether they should be continued, curtailed or eliminated. Inform the public about state agencies.

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