

***SOUTH CAROLINA DEPARTMENT OF
CONSUMER AFFAIRS***



Subcommittee Budget Presentation

FISCAL YEAR 2020-2021

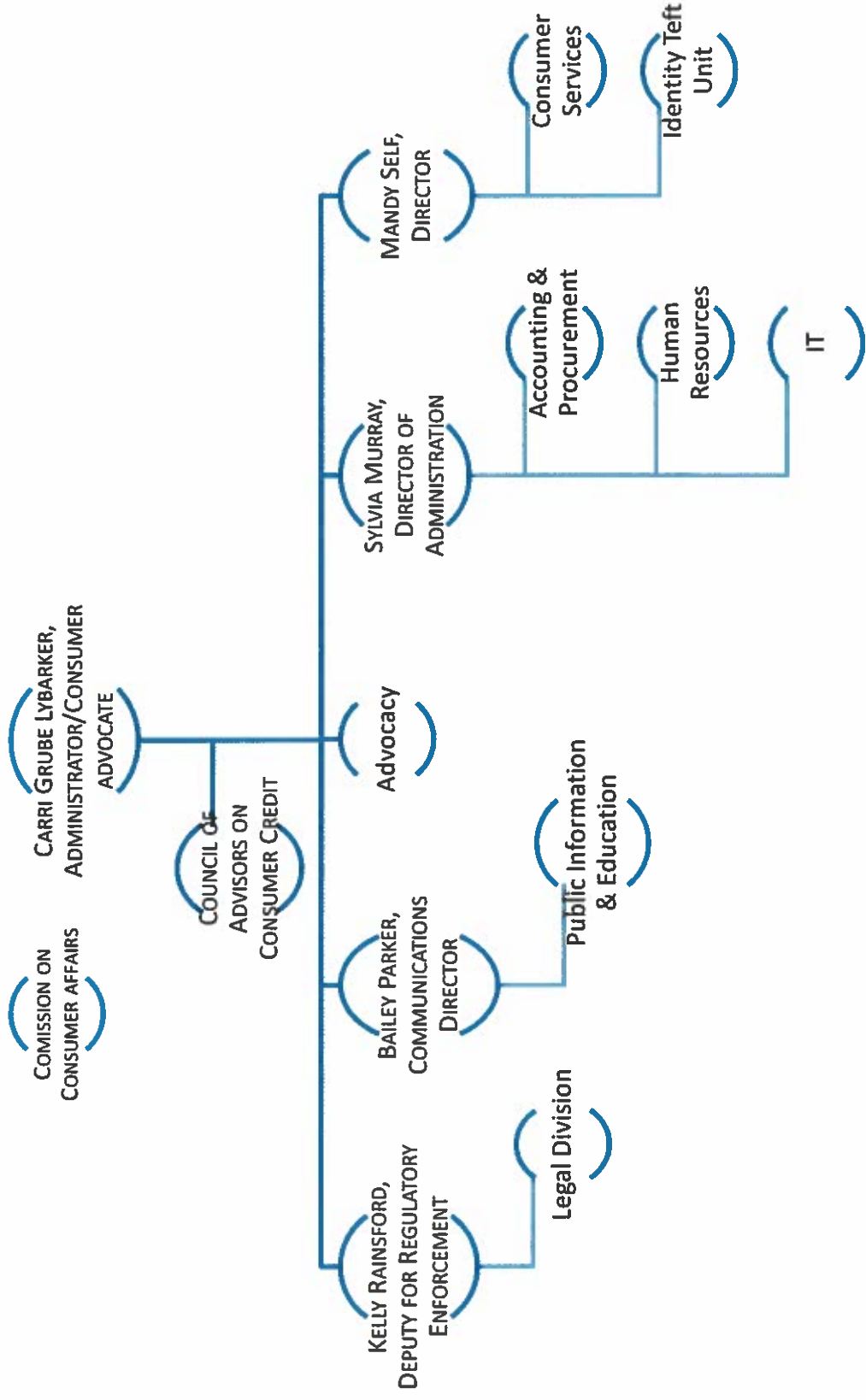
SC DEPARTMENT OF CONSUMER AFFAIRS:

KEY OFFICIALS

Administrator/Consumer Advocate	Carri Grube Lybarker	803-734-4297/803-734-4233 CLybarker@scconsumer.gov
Deputy of Regulatory Enforcement	Kelly Rainsford	803-734-4236 KRainsford@scconsuemr.gov

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SC Department of Consumer Affairs: Organizational Chart



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AGENCY NAME:	Department of Consumer Affairs		
AGENCY CODE:	R28	SECTION:	80

Fiscal Year 2018–2019 Accountability Report

SUBMISSION FORM

AGENCY MISSION	The Department of Consumer Affairs' mission is to protect consumers from inequities in the marketplace through advocacy, mediation, enforcement and education.
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AGENCY VISION	<p>To protect consumers while giving due regard to those businesses acting in a fair and honest manner. The department will strive to be a CREDIT to our State by holding the following values as essential in our relationships and decision-making:</p> <p>C ompetence R espect E quality D edication I ntegrity T imeliness</p>
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Does the agency have any major or minor recommendations (internal or external) that would allow the agency to operate more effectively and efficiently?

	Yes	No
RESTRUCTURING RECOMMENDATIONS:	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Is the agency in compliance with S.C. Code Ann. § 2-1-230, which requires submission of certain reports to the Legislative Services Agency for publication online and the State Library? See also S.C. Code Ann. § 60-2-30.

	Yes	No
REPORT SUBMISSION COMPLIANCE:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Is the agency in compliance with various requirements to transfer its records, including electronic ones, to the Department of Archives and History? See the Public Records Act (S.C. Code Ann. § 30-1-10 through 30-1-180) and the South Carolina Uniform Electronic Transactions Act (S.C. Code Ann. § 26-6-10 through 26-10-210).

RECORDS MANAGEMENT COMPLIANCE:	Yes	No
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Is the agency in compliance with S.C. Code Ann. § 1-23-120(J), which requires an agency to conduct a formal review of its regulations every five years?

REGULATION REVIEW:	Yes	No
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Please identify your agency's preferred contacts for this year's accountability report.

	<u>Name</u>	<u>Phone</u>	<u>Email</u>
PRIMARY CONTACT:	Carri Grube Lybarker	803-734-4297	CLybarker@scconsumer.gov
SECONDARY CONTACT:	Becky Dover	803-734-4188	BDover@scconsumer.gov

I have reviewed and approved the enclosed FY 2018–2019 Accountability Report, which is complete and accurate to the extent of my knowledge.

AGENCY DIRECTOR (SIGN AND DATE):	
(TYPE/PRINT NAME):	Carri Grube Lybarker, Administrator/Consumer Advocate

BOARD/CMSN CHAIR (SIGN AND DATE):	
(TYPE/PRINT NAME):	David Campbell, Chair, Commission on Consumer Affairs

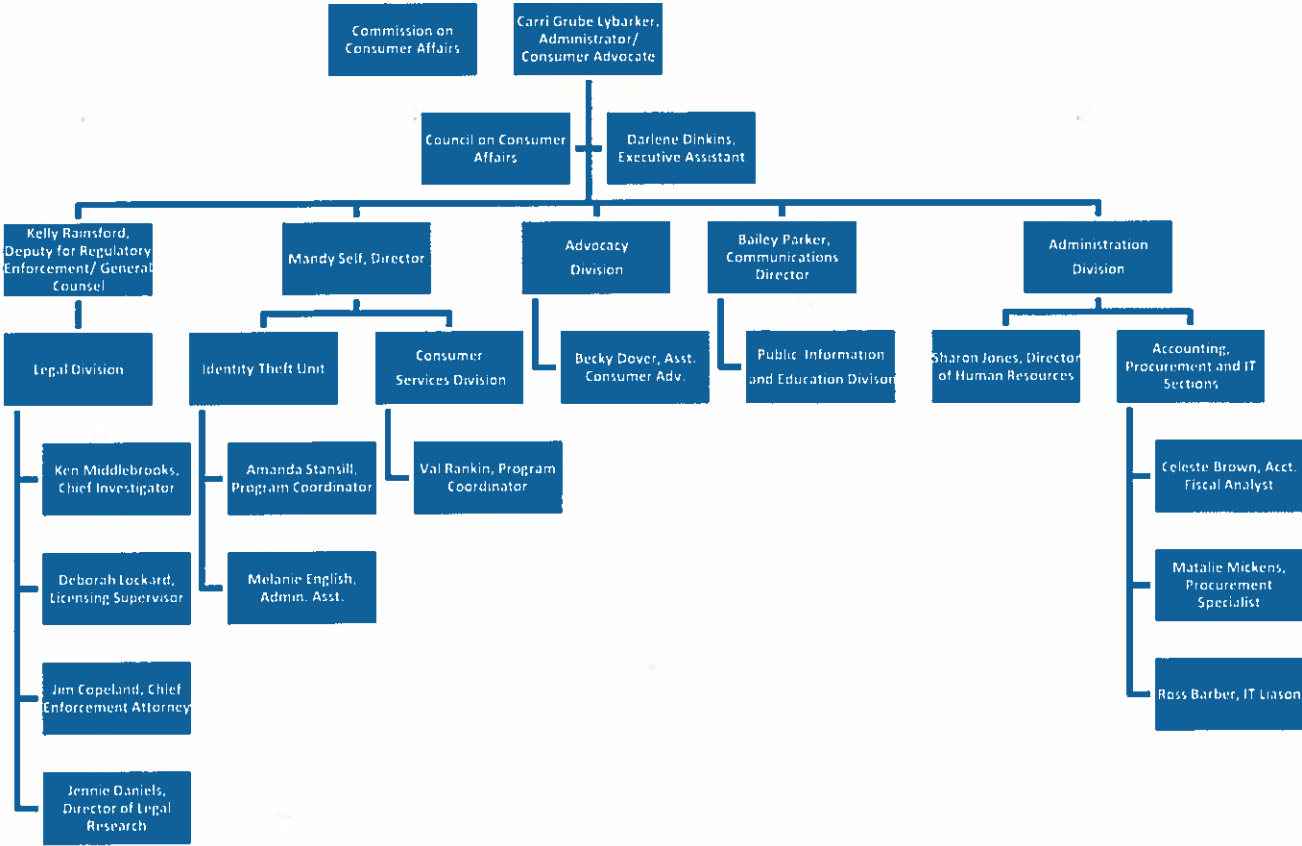
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AGENCY'S DISCUSSION AND ANALYSIS

I. *DCA Background*

The South Carolina Department of Consumer Affairs ("DCA"/ "Department") is the state's consumer protection agency. Established in 1974, DCA has over *forty-five years* of experience in protecting South Carolina consumers while recognizing those businesses that act honestly and fairly. The General Assembly has charged the DCA with administering, interpreting and enforcing over one hundred twenty statutes, including the S.C. Consumer Protection Code. Our mission is to protect consumers from inequities in the marketplace through advocacy, mediation, enforcement and education.

The department accomplishes its mission by: 1.) acting as an effective regulator, 2.) providing complaint mediation services that are unmatched at both state and federal levels, 3.) saving millions for both consumers and small businesses through rate filing intervention, 4.) serving as an educational portal for consumers and businesses alike, and 5) informing the public on effective ways of preventing and mitigating identity theft situations. Governed by the Commission on Consumer Affairs, DCA is organized into six divisions: Administration, Consumer Services, Advocacy, Public Information and Education, Legal Division and the Identity Theft Unit.



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The **Consumer Services Division** processes and mediates written consumer complaints, seeking to find equitable solutions for the consumer and the business, including refunds, adjustments and credits to consumer accounts. Staff takes consumer complaints against businesses regulated by the DCA, refers complaints that fall within another agency’s jurisdiction, and mediates those complaints against businesses that are unregulated. The Division provides SC taxpayers with a readily available, experienced, and cost-effective mediation service.

The **Advocacy Division** provides legal representation for the consumer interest in matters involving property and casualty insurance, worker’s compensation insurance and utilities. As the state agency designated to represent the interests of consumers, the Advocacy Division aims to ensure that increases in rates are justified, working to avoid excessive, inadequate or unwarranted rate increases. When needed, an action is filed and the Division submits evidence in hearings that demonstrate the rate request is not justified and often results in adjudications or settlements that generate savings for consumers and businesses alike. We look forward to providing the same service in the area of utilities upon completion of program setup. The division also reviews rules and regulations proposed by state and federal agencies pertaining to ratemaking or consumer products, goods and services and provides comments as deemed appropriate.

The **Public Information and Education Division** serves as the main consumer education portal for consumers, business and the media. The Division informs consumers and businesses on their rights and responsibilities in the marketplace through traditional and alternative media distribution, including social media, presentations, media coverage and publications. Education is a central part of SCDCA’s mission. Cultivating a marketplace comprised of well-informed consumers and businesses prevents deceptive and unfair business practices, allows legitimate business activity to flourish, resulting in the promotion of competition and a healthier economy.

The **Legal Division** performs the agency’s licensing, administration and enforcement duties related to the majority of the 120 laws under the agency’s jurisdiction. The General Assembly charged the DCA with advising the Legislature and Governor on consumer issues and the state of credit in this State; administering, interpreting and enforcing the S.C. Consumer Protection Code and licensing, registering, or otherwise regulating fifteen industries, including mortgage brokers, pawnbrokers, physical fitness centers, motor clubs, credit counseling organizations, prepaid legal services, athlete agents, the sale of preneed funeral contracts, registered consumer credit grantor, maximum rate filing and motor vehicle disclosure programs. The division also handles administration and enforcement of state identity theft-related laws, including receipt of security breach notices to ensure reporting and notification requirements are met.

The department’s newest division, the **Identity Theft Unit**, celebrated its fifth anniversary in FY19. The division provides education and outreach to South Carolina consumers across the state to increase public awareness and knowledge about what identity theft is, the steps consumers can take to protect themselves, and what consumers should do in the event of identity theft. For consumers who are identity theft victims, the Unit provides ongoing guidance throughout the process of mitigating and

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resolving their particular identity theft situation(s). The Unit also takes scam reports and calls as the main component is often to separate consumers from their money or personal information.

All of DCA's functions are supported by the agency's **Administration Division**. All support and planning services critical to the operation of the agency are housed in Administration, including procurement, human resources, accounting and information technology. The Administrator position, appointed by the Commission on Consumer Affairs to administer Title 37 among other statutes and manage the day to day operations of the agency, is located in this Division.

II. Challenges Affecting Performance

A. Employee Retention/ Knowledge Gaps

Since FY15, DCA has been adjusting to unprecedented staff turnover. Previously an agency with historically above par staff retention rates, an average of 10-15% percent of staff have exited each fiscal year. The combination of losing an enormous amount of institutional knowledge and the challenge of retaining newly hired staff have strained the department's ability to meet certain set goals.

With the 2016 Classification and Compensation Study as our guide, the department secured monies for pay increases for FY17. The move towards paying staff at a level at least equal to their state employee counterparts was certainly a step in the right direction; however, the agency still realized turnover of 12% in FY19. The results of having vacancies occur, and the time needed to fill the vacancies and train new staff, can lead to underperformance. Further, the learning curve of newly hired staff contributes as well. This is especially apparent in positions with responsibilities of administering and enforcing some of the one hundred plus laws under DCA's jurisdiction such as attorneys, investigators and paralegals. The exit of Division Directors similarly negatively impacts performance. In FY19, three of the five employees who left the agency were in attorney or Division Director positions.

B. Internal Restructuring Efforts

In FY15, the department began an internal restructuring of regulatory programs placing the administration and enforcement responsibilities for all under the supervision of a single Deputy, as opposed to two. In FY16, DCA implemented Phase II of its restructuring plan and moved two complaint analysts from the Services Division to the Legal Division to ensure appropriate processing of complaints against businesses falling under DCA's regulatory purview. FY17 was the first full year the change was implemented and the fruits of this move have been reflected in past accountability reports and data from these years is being utilized to revise FY20 measurements.

The department's new backend licensing database with online deployment capabilities, another segment of the restructuring effort, is being developed slower than anticipated. With an initial deployment target of FY17, the database is now slated for completion by the fiscal year 2020, six months later than anticipated during at this time last year. Once deployed, Phase III of the

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restructuring effort will include a re-envisioning of job duties within the Legal Division to shift those whose licensing processing duties will be streamlined to include a compliance review focus.

The department also engaged in unplanned internal restructuring during FY19 due to employee turnover. The streamlining resulted in identity theft law enforcement being transferred to the Legal Division and the Director of the Consumer Services Division having a dual role of overseeing the Identity Theft Unit as well.

The overall restructuring engaged in thus far has created the need for new policies, procedures and training. As each phase is implemented, Deputies and Directors assess performance factors and adjust practices as necessary. This process is time consuming and may lead to a decreased ability to meet established goals. Long-term, however, the policies will create a foundation to create stability in job performance in the face of whatever challenges may be presented during a particular fiscal year.

C. Public Awareness of DCA

DCA faces a continuing challenge of ensuring public awareness of the agency and its services/ role. Ensuring businesses are aware of the filings and legal requirements of the State can be a difficult task, especially as the core regulatory programs administered by the agency touch several broad industry types. (ie: credit sales, consumer loans). General citizen knowledge can be limited as well as most consumers do not have the need to contact the agency on a recurring basis. Usually issues arise that are time sensitive and occur infrequently, such as purchasing a home or having a complaint against a business. Further, certain events, such as large security breaches and natural disasters, result in increased awareness of, and reliance on, DCA. These occurrences, however, are not predictable and can result in temporary inflation of communication/ engagement measures. FY17 was such a year.

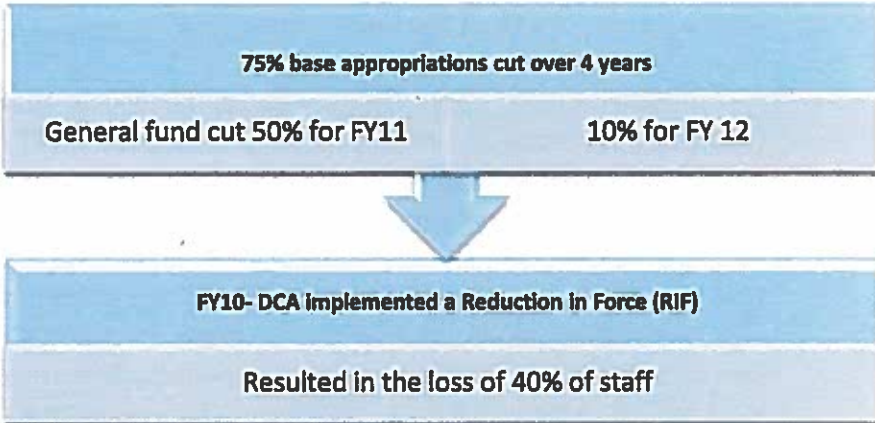
At the end of FY18, DCA hired a social media strategist to assist in our utilization of social media. Having a dedicated staff member tasked with using these free methods of communication in a more thoughtful manner will hopefully help alleviate this challenge. In FY19, we adjusted an FTE position to increase the agency’s capability in presenting across the state to aid in this effort. The department also continues to actively seek out partnerships to leverage resources in educational outreach initiatives.

D. Budget

Sixty percent of the department’s budget in FY19 came from other funds. The financial condition of the industries regulated directly affects the number of filings received and processed, thus revenue collected. A decrease in this funding source and/or general fund budgetary restraints can result in decreased resources, including overall agency funding, human capital and technological enhancements. Such a perfect storm of both funds being depleted occurred from FY09-12 with the department receiving a \$1.6 million base appropriations cut and the industries regulated by the department sharply declining.

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These budgetary constraints contributed to the agency’s inability to hire needed staff, retain qualified personnel or appropriately compensate those whose job responsibilities had grown and who continued to provide superior service. After the implementation of a reduction in force in FY10, DCA went from 68 filled FTE positions to a low of 27 filled FTEs in 2011.



The department has seen great improvement on budgetary fronts, however the impact of such devastating cuts is still apparent in some areas. Further, the unpredictability of the health of industries regulated and DCA’s inability to adjust licensing fees on its own authority, a power given other agencies in the regulation of non-depository financial institutions, leads to the potential for budget to remain a challenge.

III. Risk Assessment and Mitigation Strategies

If DCA was unable to accomplish its mission, the potential most negative impact on the public is an unregulated credit marketplace, hindering competition and resulting in consumers who are uneducated, unable to protect themselves from unscrupulous businesses and unable to obtain credit at reasonable costs. Processing of licenses would be delayed, preventing businesses from entering the marketplace. At this point, the department is pleased with FY19 results in view of the multi-year term for many projects in process and agency challenges. Should the need for assistance arise, the General Assembly could prevent a crisis through provision of appropriate funding for DCA operations and/or the ability for DCA to establish and adjust filing fees to coincide with fiscal year budget needs; provide appropriate FTE allocation; and access to technology resources.

IV. Restructuring Recommendations

As stated in section IIB above, the department initiated an internal restructuring in FY15 that is being rolled out in Phases. The completion of the final phase of restructuring is dependent on the completion of the agency’s online licensing database. DCA anticipates all regulatory programs being live on the system by the end of fiscal year 2020.

V. FY19 Overview

The department met or exceeded the majority of its target values for FY19. Overall, the agency’s outcome of credits, refunds and adjustments for FY19 through efforts in complaint mediation, enforcement and intervention in rate filings neared \$2.2 million. This number constitutes a 39% return on investment on DCA’s total budget of \$3.575 million. While a good result, the amount is less than the return achieved in FY18. The fluctuation is an example of the unpredictability in

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forecasting results of enforcement actions and complaint resolutions due to the varied complexity of matters brought before the department.

DCA received approximately 25,500 filings and applications submitted by non-depository financial institutions and other regulated industries in FY19. Staff was able to process 95% within thirty days of receipt of a complete application, an increase of 8% over FY18 and meeting the 95% processing goal two fiscal years earlier than anticipated. The ability to process filings and applications expeditiously is in large part attributed to the high user adoption rate of our online licensing system (CALAS). For the second year in a row, use of the system outpaced expectations. For the programs with online filing capabilities, 85% were made through CALAS, a 7% increase over FY18. The percentage of applicants submitting payments online also exceeded expectations, increasing 13% over FY18 to 76%, accomplishing our 70% goal three fiscal years early. The increase is anticipated to permit the agency to maintain its stellar State Auditor’s Office reports due to the efficiencies online payment processing creates. Due to initial set-up delays and the need for unanticipated program changes; however, only 57% of DCA’s programs were launched on CALAS at fiscal year’s end. The extended timeframe for completion is now set at June 30, 2020. Once all programs are live, DCA will engage in business education to promote use and maintain set performance measure targets.

Technology also assisted DCA in reaching or exceeding goals and performance measures related to voluntary complaint mediation activities. Consumers submitted 67% of the 3,400 complaints filed with the agency via our Online Complaint System. Although the Consumer Services Division received approximately 350 less complaints in FY19, the voluntary mediation process resulted in consumer credits, refunds and adjustments of \$578,000, nearly \$100,000 more than in FY18. The high adoption, coupled with implementation of new policies and procedures, assisted in meeting this goal and also resulted in a complaint processing time of 32 days- the same as in FY18. Promotion efforts to increase adoption by consumers and businesses alike as well as anticipated system updates to decrease administrative work performed by DCA staff will aid the agency in continuing to improve on these measures.

On the agency outreach front, DCA continued to create compelling, timely and relevant content to promote the activities of the agency and educate business and consumers on their respective rights and responsibilities in the consumer credit marketplace. The agency saw a 64% increase in the number of presentations given statewide (89) as well as a four percent increase in the percentage of press releases picked-up by the media (91%). The department continues to seek out partnerships to accomplish our education mission. DCA’s efforts in assisting schools with accomplishing financial literacy goals was recognized by the Richland District Once CATE Department when it awarded DCA the 2018-2019 Business Partner of the Year award.

The department continued to leverage resources in the enforcement of consumer protection laws as well. In FY19, DCA engaged in 406 enforcement actions, more than doubling the FY18 amount. Several actions were completed in partnership with federal, state and local law enforcement agencies. DCA also exceeded the 25% goal for licensee compliance reviews to reduce noncompliance with consumer protection laws. The enforcement actions, compliance reviews and complaint mediation of

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issues that fall within DCA's jurisdiction resulted in consumer credits, refunds and adjustments of approximately \$1.6 million dollars, a 23% return on investment for the Legal Division.

The department has also engaged in efforts to increase customer service. DCA launched a new, modern website in December. The clean, streamlined design offers improved navigation to the many tools available for our customers. DCA also began a five-year regulation review to ensure appropriate guidance to regulated entities, that regulations do not conflict with corresponding statutes and are not obsolete as well. Part I was completed in FY19 resulting in one new regulation being promulgated.

During FY19, DCA continued its implementation of Project Vector, an internal review of data collected by the agency. Changes to the FY19 Accountability Report measures resulted from these discussions as well as adjustments to the FY20 measures as discussed in section VI below. PHASE III of the project began in FY19. The focus for this phase is reviewing current agency processes that are not automated to identify program areas where database creation could result in greater efficiencies and more streamlined data collection and reporting.

VI. *FY20 Measurement Adjustments*

DCA continues to re-envision measurements annually to focus more on efficiency and outcome measures to form a more accurate reflection of DCA's overall productivity and impact on its customers. We cull data in agency systems and metrics available through platforms used by the agency to determine the best potential measures, including the associated targets, as well. Several of the agency's FY20 measures and targets have been updated to coincide with this review, including:

- Increasing target for measurement 1.2.1, average days to resolve a complaint through voluntary mediation, from 25 days to 30 days. The online complaint system launched in FY14 and a review of complaint processing since that time indicates the 30-day goal is a better suited goal;
- Increasing target for measurement 1.2.3, percentage of complaints closed unsatisfied, from 10% to 15%. The FY19 goal was established when all complaints, including those over which the department administers or enforces a law pertaining thereto, were mediated within the Consumer Services Division. In FY16, two analysts were moved to the Legal Division to ensure proper processing of complaints over which the agency has jurisdiction. A review of FY17, 18 and 19 data indicates a more suited measure for the complaints on the voluntary mediation track is 15% as there is no law requiring a business response or specific remedy. This is especially true for homeowner's association complaints, which make up 2% of FY19's unsatisfied measure;
- Adding the measure of maintaining a customer satisfaction rating for presentations of 95% (3.1.3). This customer service measure ensures DCA staff is presenting content and information pertinent to the customer's request;

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- Replacing measure 3.2.1, number of media requests received, with number of media appearances. The latter better gauges the relevancy and content of DCA press releases, reports and other materials as oftentimes the information is directly inserted in news broadcasts or published without the department being contacted.
- Replacing 3.3.2 (percentage of retweets) and 3.3.3 (number of YouTube views) with increasing Facebook engagement by 12% and increasing Twitter reach by 16%. These revised measures more accurately reflect the content DCA publishes on the social media platforms and the success of DCA's social media strategy.

As stated above and in previous years, several projects initiated are organized in phases, with completion not anticipated in a single fiscal year. During this process, DCA will continue to evaluate goals, strategies and measurements to ensure an accurate picture of agency productivity.

Agency Name: DEPARTMENT OF CONSUMER AFFAIRS
 Agency Code: 02200 Section: 80
 Strategic Planning and Performance Measurement Template

Statewide Strategic Objective	Goal	Item #	Strategy	Milestone	Description	Measure	Target	Actual	Time Applicable	Over-Score and Available	Reporting Method				
Public Infrastructure and Economic Development	1	S	1.1	1.1.1	Enforce regulated industries to determine compliance with applicable laws and regulations, conduct investigations upon receiving probable cause and implement enforcement actions against violators.	Number of enforcement actions	N/A	406	July 1 - June 30	Progress Reports (monthly) & Attorney Logs (daily), includes auto advertising letters	Investigator activities / number of licenses subject to enforcement activity	Gauges marketplace abuses, compliance, subsequently influences Agency education and legislative activity.			
					Perform compliance reviews of at least 25% of regulated entities (company level)(100% by FY23)	0%	25%	July 1 - June 30	Progress Reports, updated monthly	Amount of credits, refunds and adjustments received through enforcement actions and complaint mediation deducted from budget for the Legal Division. Divide difference by fund allocations.					
					Legal Division Return on Investment	64%	>50%	July 1 - June 30	Employee logs, updated as needed	Protecting consumers and providing cost-effective remedy to violators.					
					S	1.2	1.2.1	Receive and expeditiously resolve complaints of individuals pertaining to any consumer transaction arising out of the production, promotion or sale of consumer goods and services.	Average days to resolve a complaint through voluntary mediation	32	25	32	July 1 - June 30	Complaint Database, updated daily	Helps DCA improve efficiency in complaint resolution
								Percentage of complaints closed	100%	100%	101%	July 1 - June 30	Complaint Database, updated daily	Number of closed complaints/ number of complaints filed	Determines how efficiently analysts are processing complaints.
								Percentage of complaints closed unsatisfied	13%	10%	17%	July 1 - June 30	Complaint Database, updated daily	Amount of credits, refunds and adjustments received through voluntary mediation compared to Consumer Services Division budget.	Protecting consumers, ensuring compliance and providing cost-effective remedy to violators.
					M	1.2.4	1.2.4	Break-even point for the Consumer Services Division	Break-even point for the Consumer Services Division	\$484,950	>\$336,444	\$178,404	July 1 - June 30	Progress Reports, updated monthly	Providing cost-effective complaint resolution services.
								S	1.3	1.3.1	Promote the interests of consumers before the Legislature, Governor, and regulatory agencies	Percentage of insurance filings intervened in	N/A	10.40%	July 1 - June 30
					Amount saved resulting from DCA insurance rate filing intervention	\$3,750,000	N/A				\$0	July 1 - June 30	Progress Reports, updated monthly	Ensuring consumer perspective is adequately represented.	
					Percentage of comments provided to regulatory agencies by the deadline	100%	100%				100%	July 1 - June 30	Progress Reports, updated monthly	Ensuring consumer perspective is adequately represented.	
Achieved the desired outcome on legislation	100%	100%	100%	Legislative Session	Progress Reports, updated monthly	Ensuring consumer perspective is adequately represented.									

Public Infrastructure and Economic Development

Agency Name	Section	Item #	Goal	Measure	Type	2018-19 FY1	2018-19 FY2	Actual	Calculation Method	Strategic Planning and Performance Measurement Template
DEPARTMENT OF CONSUMER AFFAIRS	8000	2.1	Encourage use of online licensing platform to decrease application processing turnaround time		S					
		2.1.1	Total percentage of online filings made through CAUS (online regulatory filing system)		M	78%	75%	85%	Divide number of online filings by total number of paper and online filings.	Providing accessible, convenient services to customers.
		2.1.2	Percentage of licenses issued within 30 days of receipt of complete application (95% by FY21)		M	87%	95%	95%	Progress Reports, updated monthly; Licensing database, updated daily	Providing efficient customer service while promoting fair marketplace.
		2.1.3	Percentage of applicants submitting comments with application online (70% by FY23)		M	63%	65%	76%	Progress Reports, updated monthly; Licensing database, updated daily	Providing accessible, convenient services to customers.
		2.2	Integrate and maintain releases under the agency's jurisdiction in a fair manner, balancing the interests of consumers with those businesses acting honestly and fairly		S					
		2.2.1	Percentage of DCA proposed regulations that became law during two year legislative cycle		M	80%	100%	100%	Progress Reports, updated monthly	Ensuring laws are relevant and consumer perspective is adequately represented.
		2.2.2	Percentage of 5 year Regulations Review Completed (by FY24)		M	0%	20%	20%	Division Reports, monthly	Ensuring laws are relevant.
		3	educate consumers and businesses on their rights and responsibilities under the law		S					
		3.1	Engage in traditional educational efforts to decrease consumer risks and increase industry compliance		S					
		3.1.1	Number of presentations requested		M	57	100	89	Division Reports, monthly	Increasing public awareness of rights and responsibilities.
		3.1.2	Average attendees per presentation		M	229	35	37	Progress Reports, updated monthly	Increasing public awareness of rights and responsibilities.
		3.1.4	Number of educational publications created and released		M	3	5	10	Division Reports, monthly	Increasing public awareness of rights and responsibilities.
		3.2	Actively seek out media attention and cultivate relationships with media stakeholders		S					
		3.2.1	Number of media requests received		M	86	70	54	Division Reports, monthly	Increasing public awareness of rights and responsibilities.
		3.2.2	Percentage of press releases picked up by media outlets		M	87%	75%	91%	Progress Reports, updated monthly	Tells whether DCA press releases are compelling, relevant and in line with AP style guidelines
		3.3	Increase public awareness through digital media and alternative, cost-effective methods		S					
		3.3.1	Modernize DCA website		M	N/A	Complete	Complete	Division Reports, monthly	Providing accessible, convenient services to customers.
		3.3.2	Percentage of retweets		M	40%	50%	34%	Total number of retweets divided by total number of tweets sent out by SDOCA.	Gauges whether DCA content is relevant and compelling
		3.3.3	Number of YouTube views		M	6881	8,500	6,159	YouTube reports	Gauges success of outreach directing to website and usefulness of DCA website
		3.3.4	Increase overall website visits by 2.5% annually		M	-13.24%	2.50%	-2.48%	Google Analytics, updated daily	

Agency Name: DEPARTMENT OF CONSUMER AFFAIRS
 Agency Code: RZSD Section: RD
 Strategic Objective: Statewide Enterprise Strategic Objective
 Goal: 4
 Strategy: Strategic
 Measure: RD

Strategic Planning and Performance Measurement Template	2018-19 Target	2018-19 Actual	Time Applicable	DATA SOURCE and RESPONSIBILITY	Completion Method	Planning Cycle/Measure
<p>Maintaining Safety, Integrity and Security</p> <p>Continuously evaluate technologies and strategies available to cultivate a culture of security, efficiency and knowledge building</p>						
S	4.1					
	Implement, update and promote technology to assist staff in increasing efficiencies in performing job functions					
M	4.1.1	69%	67%	July 1- June 30	Complaint Database, updated daily	Providing accessible, convenient services DCA to provide a more accurate and timely regulatory experience for licensees.
M	4.1.2	50%	57%	Completion by 12/31/2019	Licensing Database	
S	4.2					
	Protect data entrusted with agency by its customers through employee training and awareness					
M	4.2.1	Complete	Complete	July 1- June 30	HR Reports, updated annually	Ensures DCA management is fostering adoption of InfoSec policies and procedures, creating a culture of cybersecurity.
M	4.2.2	95%	100%	July 1- June 30	DCA Policies and Procedures	Ensures DCA staff treats customer information appropriately and in compliance with policies and procedures.
S	4.3					
	Provide an environment that supports staff development, retention and agency mission fulfillment					
M	4.3.1	93%	90%	July 1- June 30	HR Reports, updated annually	Ensuring DCA provides desirable work environment.
M	4.3.2	15-40%	<10%	July 1- June 30	SEEDS reports, updated daily	Ensuring DCA provides desirable work environment.
	Employee turnover rate (percentage)					
M	4.3.3	100.00%	>70%	July 1- June 30	Human Affairs Commission reports, updated annually	Ensuring compliance with laws and DCA provides desirable work environment.
	Equal Opportunity Employment Rating					

Agency Name: DEPARTMENT OF CONSUMER AFFAIRS
Agency Code: 0200

Region: 80

Strategic Planning and Performance Measurement Template		Calculation Method		Data Source and Availability		Time Applicable		2019-20 Target		Actual		Reasoning/Use of Expense	
Type	Goal	Item #	Measure	Description	Unit	Target	Actual	2019-20 Target	Actual	2019-20 Target	Actual	Reasoning/Use of Expense	
Statewide Enterprise Strategic Objective Public Infrastructure and Economic Development													
G	1	1		EFFECTIVELY ADMINISTER & ENFORCE THE LAWS ASSIGNED TO THE DEPARTMENT TO PROTECT CONSUMERS FROM FRAUDULENT, UNFAIR AND DECEPTIVE PRACTICES.									
S	1.1	1.1		Examine regulated industries to determine compliance with applicable laws and regulations, conduct investigations upon receiving probable cause and implement enforcement actions against violators.									
M	1.1.1	1.1.1	Number of enforcement actions			406	N/A					Progress Reports (monthly) & Attorney Logs (daily). Includes auto advertising letters	Gauges marketplace abuses, compliance, subsequently influences Agency education and legislative activity.
M	1.1.2	1.1.2	Perform compliance reviews of at least 25% of regulated entities (company level)(100% by FY23)			26%	25%	%	%			Investigator activities / number of businesses subject to enforcement activity	Ensuring compliance with laws and consumer protection.
M	1.1.3	1.1.3	Legal Division Return on Investment			23%	>50%	%	%			Amount of credits, refunds and adjustments received through enforcement actions and complaint mediation deducted from budget for the Legal Division. Divide difference by fund allocation.	Protecting consumers and providing cost-effective remedy to violators.
S	1.2	1.2		Receive and expeditiously resolve complaints of individuals pertaining to any consumer transaction arising out of the production, promotion or sale of consumer goods and services.									
M	1.2.1	1.2.1	Average days to resolve a complaint through voluntary mediation			32	30					Complaint Database, updated daily	Helps DCA improve efficiency in complaint mediation
M	1.2.2	1.2.2	Percentage of complaints closed			101%	100%	%	%			Number of closed complaints/ number of complaints filed	Determines how efficiently analysts are processing complaints.
M	1.2.3	1.2.3	Percentage of complaints closed unsatisfied			17%	15%	%	%			Complaint Database, updated daily	Protecting consumers, ensuring compliance and providing cost-effective remedy to violators.
M	1.2.4	1.2.4	Break-even point for the Consumer Services Division			\$578,404	>\$336,444	\$	\$			Amount of credits, refunds and adjustments received through voluntary mediation compared to Consumer Services Division budget.	Providing cost-effective complaint mediation services.
S	1.3	1.3		Promote the interests of consumers before the Legislature, Governor, and regulatory agencies									
M	1.3.1	1.3.1	Percentage of insurance filings intervened in			10.40%	5%	%	%			Progress Reports, updated monthly	Ensuring consumer perspective is adequately represented.
M	1.3.2	1.3.2	Amount saved resulting from DCA insurance rate filing intervention			\$0	N/A					Progress Reports, updated monthly	Ensuring consumer perspective is adequately represented.
M	1.3.3	1.3.3	Percentage of comments provided to regulatory agencies by the deadline			100%	100%	%	%			Progress Reports, updated monthly	Ensuring consumer perspective is adequately represented.
M	1.3.4	1.3.4	Achieved the desired outcome on legislation			100%	100%	%	%			Legislative Session, updated monthly	Ensuring consumer perspective is adequately represented.
Public Infrastructure and Economic Development													
G	2	2		Provide a quality, streamlined program of licensing and regulations to promote high standards for regulated businesses and protect South Carolinians are effectively and efficiently served									
S	2.1	2.1		Encourage use of online licensing platform to increase application processing turnaround time									

Agency Name	Agency Code	R2290	Section	Item #	Goal	Strategic Priority	Measure	Baseline	2019-20 Target	Actual	Time Applicable	Data Source and Availability	Calculation Method	Measuring Used Measure
Statewide Enterprise Strategic Objective														
M		2.1.1					Total percentage of online filings made through CALAS (online regulatory filing system)	85%	75%	%	July 1 - June 30	Progress Reports, updated monthly; Licensing database, updated daily	Divide number of online filings by total number of paper and online filings.	Providing accessible, convenient services to customers.
M		2.1.2					Percentage of licenses issued within 30 days of receipt of complete application	95%	95%	%	July 1 - June 30	Progress Reports, updated monthly; Licensing database, updated daily		Providing efficient customer service while promoting fair marketplace.
M		2.1.3					Percentage of applicants submitting payments with application online	76%	70%	%	July 1 - June 30	Progress Reports, updated monthly; Licensing database, updated daily		Providing accessible, convenient services to customers.
S		2.2					Interpret and explain problems under the agency's jurisdiction in a fair manner, balancing the interests of consumers with those businesses acting honestly and fairly							
M		2.2.1					Percentage of DCA proposed regulations that became law during two year legislative cycle	100%	100%	%	Legislative Session	Progress Reports, updated monthly	Number of proposed regulations / number of final regulations that became law during the session	Ensuring laws are relevant and consumer perspective is adequately represented.
M		2.2.2					Percentage of 5 year Regulations Review Completed (by FY24)	20%	40%	%	July 1, 2018-June 30, 2023	Division Reports, monthly		Ensuring laws are relevant.
G		3					Education consumers and businesses on their rights and responsibilities under the law							
S		3.1					Engage in traditional educational efforts to decrease consumer risks and increase industry compliance							
M		3.1.1					Number of presentations requested	89	100		July 1 - June 30	Division Reports, monthly		Increasing public awareness of rights and responsibilities.
M		3.1.2					Average attendees per presentation	37	35		July 1 - June 30	Progress Reports, updated monthly		Increasing public awareness of rights and responsibilities.
M		3.1.3					Customer satisfaction rating for presentations	N/A	90%	%	December 1-June 30	Survey monthly analytics, monthly		Tells whether DCA presentations are relevant and meeting customer expectations.
M		3.1.4					Number of educational publications created or updated and released	10	5		July 1 - June 30	Division Reports, monthly		Increasing public awareness of rights and responsibilities.
S		3.2					Actively seek out media attention and cultivate relationships with media stakeholders							
M		3.2.1					Number of media appearances	167	240		July 1 - June 30	Media Monitoring Analytics, Division Reports, monthly		Increasing public awareness of rights and responsibilities.
M		3.2.2					Percentage of press releases picked up by media outlets	91%	80%	%	July 1 - June 30	Media Monitoring Analytics, Progress Reports, updated monthly		Tells whether DCA press releases are compelling, relevant and in line with AP style guidelines
S		3.3					Increase public awareness through digital media and alternative, cost-effective methods							
M		3.3.1					Increase monthly Facebook reach by an average of 12%	5736	6437		July 1 - June 30	Division Reports, monthly		Providing accessible, convenient services to customers.
M		3.3.2					Increase monthly Twitter Impressions by an average of 16%	21110	24448		July 1 - June 30	Twitter reports, updated daily	Total number of retweets divided by total number of tweets sent out by SDCCA.	Gauges whether DCA content is relevant and compelling

Agency Name: DEPARTMENT OF CONSUMER AFFAIRS
Agency Code: 8220

Statewide Enterprise Strategic Objective		Goal	Item #	Measure	Description	Base	2019-20 Target	2019-20 Actual	Time Applicable	Business and Availability	Call to Action Method	Measuring Use of Resource
M	3.3.3	M	3.3.3	Increase overall website visits by 2.5% annually	Increase overall website visits by 2.5% annually	-2.48%	>0%		July 1- June 30	Google Analytics, updated daily		Gauges success of outreach directed to website and usefulness of DCA website
Maintaining Safety, Integrity and Security												
S	4	S	4.1	Implement, update and promote technology to assist staff in increasing efficiency in performing job functions	Continuously evaluate technology and software available to create a culture of security, efficiency and knowledge building							
M	4.1.1	M	4.1.1	Percentage of complaints filed online (70% by FY20)	Implement, update and promote technology to assist staff in increasing efficiency in performing job functions	67%	70%	%	July 1- June 30	Complaint Database, updated daily		Providing accessible, convenient services to customers. Enables DCA to provide a more accurate and timely regulatory experience for licensees.
M	4.1.2	M	4.1.2	Percentage of CALAS operational (Completion by June 30, 2020)	Percentage of complaints filed online (70% by FY20)	57%	100%	%	July 1- June 30	Licensing Database		
S	4.2	S	4.2	Protect data entrusted with agency by its customers through employee training and awareness	Protect data entrusted with agency by its customers through employee training and awareness							
M	4.2.1	M	4.2.1	Hold Annual Insider training	Hold Annual Insider training	Complete	Complete		July 1- June 30	HR Reports, updated annually		Ensures DCA management is fostering adoption of insider policies and procedures, creating a culture of cyber-security. Ensures DCA staff treats customer information appropriately and in compliance with policies and procedures.
M	4.2.2	M	4.2.2	Percentage of Insider policies and procedures implemented	Percentage of Insider policies and procedures implemented	95%	100%	%	July 1- June 30	DCA Policies and Procedures		
S	4.3	S	4.3	Provide an environment that supports staff development, retention and agency mission fulfillment	Provide an environment that supports staff development, retention and agency mission fulfillment							
M	4.3.1	M	4.3.1	Maintain employee satisfaction rate of at least 90%	Maintain employee satisfaction rate of at least 90%	91%	90%	%	July 1- June 30	HR Reports, updated annually		Ensuring DCA provides desirable work environment.
M	4.3.2	M	4.3.2	Employee turnover rate (percentage)	Employee turnover rate (percentage)	12.00%	<10%	%	July 1- June 30	SCES reports, updated daily	Number of staff who voluntarily separate for other opportunities divided by total FTEs.	Ensuring DCA provides desirable work environment.
M	4.3.3	M	4.3.3	Equal Opportunity Employment Rating	Equal Opportunity Employment Rating	84.00%	>70%	%	July 1- June 30	Human Affairs Commission reports, updated annually		Ensuring compliance with laws and DCA provides desirable work environment.

Fiscal Year 2018-2019
Accountability Report

Agency Name: **DEPARTMENT OF CONSUMER AFFAIRS**
 Agency Code: **R280** Section: **080**

Program/Title	Purpose	FY 2018-19 Expenditures (Actual)			FY 2019-20 Expenditures (Projected)			TOTAL	Associated Measure(s)
		General	Other	Federal	General	Other	Federal		
I. Administration	Administration - To provide budgeting and accounting, human resources, procurement and supply, training and computer services for the agency. To administer the registered consumer credit grantor, maximum rate filing and motor vehicle disclosure programs.	\$ 382,856	\$ 327,800	\$	\$ 710,656	\$ 327,811	\$ 319,550	\$	647,361
II. Legal	Legal Division- Administer, interpret, enforce the S.C. Consumer Protection Code, License, register, and regulate mortgage brokers, pawnbrokers, physical fitness centers, motor clubs, credit counseling organizations, prepaid legal services, estate agents, and the sale of preneed funeral contracts.	\$ 334,083	\$ 1,346,364	\$	\$ 1,680,447	\$ 402,665	\$ 1,383,298	\$	1,785,963
III. Consumer Services	Consumer Services and Education - Receive and process consumer complaints filed against businesses and provide a voluntary mediation program to resolve the complaint. Educate consumers on current consumer issues to help them become savvy consumers.	\$ 86,831	\$ 319,301	\$	\$ 406,132	\$ 116,612	\$ 343,282	\$	459,894
IV. Consumer Advocacy	Advocacy Division - To provide legal representation for the consumer interest in matters involving property and casualty insurance and worker's compensation insurance. The Advocacy Division also regulates Professional Employer Organizations and Continuing Care Retirement Communities.	\$ 235,457	\$	\$	\$ 235,457	\$ 379,838	\$	\$	379,838
V. Public Information	Public Information - To inform South Carolina consumers of market prices that are illegal, deceptive or unfair, and inform them of their rights.	\$ 191,673	\$ 7,633	\$	\$ 199,306	\$ 222,706	\$ 13,536	\$	236,242
VI. Identity Theft Unit	Identity Theft Unit - Provide education and outreach to consumers on how to detect, detect, and defend against identity theft. Assist consumers in mitigating instances of identity theft. Provide education to businesses and agencies on complying with state identity theft laws and otherwise enforce such statutes.	\$ 254,223	\$	\$	\$ 254,223	\$ 201,445	\$	\$	201,445
		\$ 1,485,123	\$ 2,001,098	\$	\$ 3,486,221	\$ 1,651,077	\$ 2,059,666	\$	3,710,743

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Does this law specify who your agency must or may serve?	Does the law specify a product or service your agency must or may provide?	Is this what type of service or product?	Other service or product our agency must/may provide	Process closing fee filings, investigate and enforce as necessary
1	37-2-307	State	Statute	Yes	Yes	Other service or product our agency must/may provide	Process closing fee filings, investigate and enforce as necessary	
2	37-2-308	State	Statute	No	No - But relates to manner in which one or more agency deliverables is provided			
3	37-2-309	State	Statute	No	No - But relates to manner in which one or more agency deliverables is provided			
4	37-3-308	State	Statute	No	No - But relates to manner in which one or more agency deliverables is provided			
5	37-3-413	State	Statute	No	No - But relates to manner in which one or more agency deliverables is provided			
6	1-11-490	State	Statute	No	Yes	Other service or product our agency must/may provide	Receive notices, enforce chapter.	
7	12-36-211D	State	Statute	No	No - But relates to manner in which one or more agency deliverables is provided			
8	16-17-445	State	Statute	No	Yes	Other service or product our agency must/may provide	Investigate complaints and enforce section.	
9	16-17-446	State	Statute	No	Yes	Other service or product our agency must/may provide	Investigate complaints and enforce section.	
10	29-4-30	State	Statute	No	Yes	Other service or product our agency must/may provide	Receive complaints and enforce provisions.	
11	34-39-220	State	Statute	Yes	Yes	Other service or product our agency must/may provide	Assist with enforcement of chapter.	
12	38-71-315	State	Statute	No	No - But relates to manner in which one or more agency deliverables is provided			
13	38-75-490	State	Statute	Yes	Yes	Other service or product our agency must/may provide	Study and develop rating system.	
14	34-41-100	State	Statute	Yes	Yes	Other service or product our agency must/may provide	Assist with enforcement of chapter.	
15	38-13-30	State	Statute	No	No - But relates to manner in which one or more agency deliverables is provided			
16	38-55-530	State	Statute	No	Yes	Other service or product our agency must/may provide	Provide information.	
17	38-71-315	State	Statute	No	No - Does not relate directly to any agency deliverables			

Legal Standards Template

Agency Name: **Department of Consumer Affairs**
 Agency Code: **R2200** Section: **080**

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	If yes, what type of service or product?	Other service or product our agency must/may provide	Provide information.
18	38-77-1120	State	Statute	Requires DCA to notify and cooperate with the Department of Insurance Motor Vehicle Fraud Division and other authorized agencies.	Yes	Yes		Other service or product our agency must/may provide	Provide information.
19	39-3-90	State	Statute	Establishes requirements pertaining to business security breaches.	Yes	Yes		Other service or product our agency must/may provide	Receive notices, enforce chapter.
20	40-59-210	State	Statute	Builds Commission to seek assistance from DCA in securing restraining order or court injunctive relief in court against violators.	Yes	Yes		Other service or product our agency must/may provide	Assist with enforcement of chapter.
21	44-7-180	State	Statute	Creates State Health Planning Committee, designating the Consumer Advocate as a member.	No	Yes		Board, commission, or committee on which someone from our agency	
22	44-96-60	State	Statute	Creates Solid Waste Advisory Council, designating the Consumer Advocate as a member.	No	Yes		Board, commission, or committee on which someone from our agency	
23	46-13-150	State	Statute	Creates Pesticide Advisory Committee, requiring DCA recommend two citizen members to the Governor for appointment.	Yes	Yes		Other service or product our agency must/may provide	Make recommendations for appointment.
24	47-4-150	State	Statute	Requires State Livestock-Poultry Health Commission to consult with DCA, among others, when establishing advisory committees.	Yes	Yes		Other service or product our agency must/may provide	Assist in establishment of committees.
25	58-12-360	State	Statute	Requires DCA's telephone number on cable bills, mediate cable complaints.	No	Yes		Other service or product our agency must/may provide	Receive complaints.
26	15 USC 1601 et seq.	Federal	Statute	Regulation Z, implements requirements for Truth in Lending Act.	No	No		No - But relates to manner in which one or more agency deliverables is provided	
27	Proviso 80.1	State	FY 2018-19 Proviso	Authorizes DCA to retain all funds paid in the settlement of cases involving statutes enforced by the department and to use the retained funds to offset enforcement costs.	No	No		No - But relates to sources of funding for one or more agency deliverables	
28	Proviso 80.2	State	FY 2018-19 Proviso	Authorizes DCA to retain funds paid under Chapter 102, Title 59 (Uniform Athlete Agents Act) for enforcement of the chapter.	No	No		No - But relates to sources of funding for one or more agency deliverables	
29	Proviso 80.3	State	FY 2018-19 Proviso	Authorizes DCA to carry forward unexpended funds appropriated for the expert witness/assistance program.	No	No		No - But relates to sources of funding for one or more agency deliverables	
30	Proviso 80.4	State	FY 2018-19 Proviso	Retain funds collected under Chapters 2, 3 and 6 of Title 37 (Registered Credit Grantor Notification and Maximum Rate Filing) to cover operational costs and to carry	No	No		No - But relates to sources of funding for one or more agency deliverables	
31	Proviso 80.5	State	FY 2018-19 Proviso	Authorizes DCA to retain funds collected under Chapter 61, Title 39 (Motor Clubs); Chapter 39, Title 40 (Pawnbrokers) and Chapter 79, Title 44 (Physical Fitness Facilities) for program implementation.	No	No		No - But relates to sources of funding for one or more agency deliverables	
32	Proviso 117.110	State	FY 2018-19 Proviso	Pertains to state agency data breach notification requirements.	Yes	Yes		Other service or product our agency must/may provide	Compile credit reporting list, receive notices, enforce
33	16 CFR 1016	Federal	Regulation	Regulation Z, implements requirements for Truth in Lending Act.	No	No		No - But relates to manner in which one or more agency deliverables is provided	
34	Regulation 28-1	State	Regulation	Authority to establish Rules	No	No		No - Does not relate directly to any agency deliverables	

Legal Standards Template

Agency Name: Department of Consumer Affairs
 Agency Code: 8220 Section: 080

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	If Y, what type of service or product?	If other service or product, please specify what service or product.
35	Regulation 28-2	State	Regulation	Establishes organizational structure	No	No - But relates to manner in which one or more agency deliverables is provided		
36	Regulation 28-3	State	Regulation	Establishes general purposes of DCA	Yes	Yes	Other service or product our agency must/may provide	Provide information to and protect consumers; report on credit in SC; implement the SDCPC; work with businesses to ensure compliance with SDCPC; provide reports on credit issues; work to establish new credit/consumer laws; represent consumers' interests in front of regulatory agencies or courts. Mediate consumer complaints; evaluate rate requests and intervene when appropriate; provide information to consumers and businesses; provide information on ID theft; review consumer protections laws; conduct litigation and administrative enforcement of SDCPC.
37	Regulation 28-4	State	Regulation	Defines method of operations/ divisions of DCA	Yes	Yes	Other service or product our agency must/may provide	
38	Regulation 28-5	State	Regulation	Retention of records	No	No - Does not relate directly to any agency deliverables		
39	Regulation 28-6	State	Regulation	Applicability of federal TILA	No	No - But relates to manner in which one or more agency deliverables is provided		
40	Regulation 28-7	State	Regulation	Definitions applying to Rules of Practice	No	No - But relates to manner in which one or more agency deliverables is provided		
41	Regulation 28-8	State	Regulation	Establishes notification procedures for creditors	Yes	Yes	Other service or product our agency must/may provide	Issue licenses when appropriate
42	Regulation 28-9	State	Regulation	Informal complaint procedures	Yes	Yes	Other service or product our agency must/may provide	Investigate and bring action upon informal complaints
43	Regulation 28-13	State	Regulation	Filing and Service	No	No - But relates to manner in which one or more agency deliverables is provided		
44	Regulation 28-14	State	Regulation	Applicability of APA	No	No - But relates to manner in which one or more agency deliverables is provided		
45	Regulation 28-15	State	Regulation	Witnesses in actions	No	No - But relates to manner in which one or more agency deliverables is provided		
46	Regulation 28-18	State	Regulation	Procedures for actions	No	No - But relates to manner in which one or more agency deliverables is provided		
47	Regulation 28-19	State	Regulation	Administrator Investigative authority	No	No - But relates to manner in which one or more agency deliverables is provided		

Legal Standards Template

Agency Name: Department of Consumer Affairs
 Agency Code: B280 Section: 080

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	If either service or product, please specify what service or product.
48	Regulation 28-20	State	Regulation	Procedures for hearings	No	No - But relates to manner in which one or more agency deliverables is provided	
49	Regulation 28-23	State	Regulation	Decisions/ Orders of Administrator	No	No - But relates to manner in which one or more agency deliverables is provided	
50	Regulation 28-24	State	Regulation	Procedure for rehearing and review	No	No - But relates to manner in which one or more agency deliverables is provided	
51	Regulation 28-25	State	Regulation	Procedure for Declaratory Rulings	No	Yes	Other service or product our agency must/may provide
52	Regulation 28-26	State	Regulation	Procedure for Administrative Interpretations	No	Yes	Other service or product our agency must/may provide
53	Regulation 28-27	State	Regulation	Procedure for adoption of rules	No	No - But relates to manner in which one or more agency deliverables is provided	
54	Regulation 28-28	State	Regulation	Commission and Council Meetings	Yes	Yes	Board, commission, or committee on which someone from our agency
55	Regulation 28-25 State 5.204	State	Regulation	Procedure for debtor to rescind transaction	No	No - Does not relate directly to any agency deliverables	
56	Regulation 28-30	State	Regulation	Penalties for delinquent notification filing	No	No - But relates to manner in which one or more agency deliverables is provided	
57	Regulation 28-40	State	Regulation	Procedures for Rental-Purchases	Yes	Yes	Other service or product our agency must/may provide
58	Regulation 28-50 State 2.210, 3.210	State	Regulation	Establishes charts for rebates	No	No - But relates to manner in which one or more agency deliverables is provided	
59	Regulation 28-60	State	Regulation	"Extended First Payment" transactions defined	No	No - But relates to manner in which one or more agency deliverables is provided	
60	Regulation 28-62	State	Regulation	Dollar Amount Adjustments	Yes	Yes	Other service or product our agency must/may provide
61	Regulation 28-70	State	Regulation	Maximum rate filings and postings	Yes	Yes	Other service or product our agency must/may provide
62	Regulation 28-80	State	Regulation	Procedures for Motor Clubs	Yes	Yes	Other service or product our agency must/may provide
63	Regulation 28-90	State	Regulation	Procedures for Discount Medical Plans	Yes	Yes	Other service or product our agency must/may provide

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	Must, when type of service or product must/may provide	What actions must be taken to assure compliance?
64	Regulation 28-100	State	Regulation	Procedures for Physical Fitness Services Centers	Yes	Yes	Other service or product our agency must/may provide	Review applications and issue certificates of authority. Review records to assure compliance.
65	Regulation 28-200	State	Regulation	Procedures for Pawnbrokers	Yes	Yes	Other service or product our agency must/may provide	Review contracts. Review applications and issue certificates of authority. Review records to assure compliance.
66	Regulation 28-400	State	Regulation	Licensing of mortgage brokers	Yes	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	Inspection of records
67	Regulation 28-500	State	Regulation	Lemon Law Records	Yes	Yes	Other service or product our agency must/may provide	Review license application; issue licenses; conduct inspections and investigations; review complaints
68	Regulation 28-600	State	Regulation	Licensing of Continuing Care Retirement Communities	Yes	Yes	Other service or product our agency must/may provide	Review of books and records
69	Regulation 28-700	State	Regulation	Licensing of Consumer Credit Counselors	Yes	Yes	Other service or product our agency must/may provide	Review applications; review records
70	Regulation 28-900	State	Regulation	Licensing of Motor Vehicle sublease arrangers	Yes	Yes	Other service or product our agency must/may provide	Review applications and issue licenses; conduct inspections and investigations
71	Regulation 28-1000	State	Regulation	Licensing of Professional Employer Organizations	Yes	Yes	Other service or product our agency must/may provide	Review applications and issue certificates of registration
72	Regulation 28-1100	State	Regulation	Registration of Prepaid Legal Services	Yes	Yes	Other service or product our agency must/may provide	
73	§ 37-1-101	State	Statute	Establishes the name of the title as the South Carolina Consumer Protection Code	No	No - Does not relate directly to any agency deliverables		
74	§ 37-1-102	State	Statute	Establishes purposes and rules of construction for the South Carolina Consumer Protection Code	No	No - But relates to manner in which one or more agency deliverables is provided		
75	§ 37-1-103	State	Statute	Provides supplementary general principles of law applicable to the South Carolina Consumer Protection Code.	No	No - But relates to manner in which one or more agency deliverables is provided		
76	§ 37-1-104	State	Statute	Authorizes construction against implicit repeal of the South Carolina Consumer Protection Code.	No	No - But relates to manner in which one or more agency deliverables is provided		
77	§ 37-1-105	State	Statute	Establishes severability of the South Carolina Consumer Protection Code.	No	No - But relates to manner in which one or more agency deliverables is provided		
78	§ 37-1-106	State	Statute	Provides for the handling conflict with the Consumer Finance Law of the South Carolina Consumer Protection Code.	No	No - But relates to manner in which one or more agency deliverables is provided		
79	§ 37-1-107	State	Statute	Generally restricts waiver; agreement to forego rights; settlement of claims for the South Carolina Consumer Protection Code.	No	No - But relates to manner in which one or more agency deliverables is provided		

Agency Name: **Department of Consumer Affairs**
 Agency Code: **R2240** Section: **080**

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	If yes, what type of service or product?	If yes, service or product, please specify what structure of product?
80	§ 37-1-108	State	Statute	Sets forth effect of title on powers of organizations for the South Carolina Consumer Protection Code.	No	No - But relates to manner in which one or more agency deliverables is provided	Yes	Public Dollar Amount Adjustments on a biennial basis
81	§ 37-1-109	State	Statute	Authorizes change of dollar amounts used in the South Carolina Consumer Protection Code.	No	Yes	Other service or product our agency must/may provide	
82	37-1-201	State	Statute	Establishes the territorial application of the Consumer Protection Code	No	No - But relates to manner in which one or more agency deliverables is provided		
83	§ 37-1-202	State	Statute	Creates exclusions of the South Carolina Consumer Protection Code.	No	No - But relates to manner in which one or more agency deliverables is provided		
84	§ 37-1-203	State	Statute	Establishes jurisdiction and service of process of the South Carolina Consumer Protection Code.	No	No - But relates to manner in which one or more agency deliverables is provided		
85	37-1-301	State	Statute	Sets forth definitions for terms used in the South Carolina Consumer Protection Code.	No	No - But relates to manner in which one or more agency deliverables is provided		
86	§ 37-1-302	State	Statute	Establishes definition of "Federal Consumer Credit Protection Act" of the South Carolina Consumer Protection Code.	No	No - But relates to manner in which one or more agency deliverables is provided		
87	§ 37-1-303	State	Statute	Provides index of definitions in the South Carolina Consumer Protection Code.	No	No - But relates to manner in which one or more agency deliverables is provided		
88	§ 37-2-101	State	Statute	Establishes the name of the chapter as South Carolina Consumer Protection Code - Credit Sales	No	No - Does not relate directly to any agency deliverables		
89	§ 37-2-102	State	Statute	Institutes the scope of chapter relating to credit sales	No	No - But relates to manner in which one or more agency deliverables is provided		
90	§ 37-2-103	State	Statute	Provides index of definitions for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
91	§ 37-2-104	State	Statute	Establishes definition of "consumer credit sale"	No	No - But relates to manner in which one or more agency deliverables is provided		
92	§ 37-2-105	State	Statute	Establishes definitions of "goods"; "merchandise certificate"; "services"; "sale of goods"; "sale of services"; "sale of an interest in land"; "presumptive" for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
93	§ 37-2-106	State	Statute	Establishes definition of "consumer lease" for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		

Agency Name: **Department of Consumer Affairs**
 Agency Code: **6230** Section: **080**

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? [Y/N]	Does the law specify a product or service your agency must or may provide?	Yes, what type of service or product?	No, other service or product. Please specify what service or product.
94	§ 37-2-107	State	Statute	Establishes definition of "seller" for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
95	§ 37-2-108	State	Statute	Establishes definition of "revolving charge account" for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
96	§ 37-2-109	State	Statute	Establishes definition of "credit service charge" for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
97	§ 37-2-110	State	Statute	Establishes definition of "cash price" for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
98	§ 37-2-111	State	Statute	Establishes definition of "amount financed" for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
99	§ 37-2-201	State	Statute	Authorizes credit service charge for consumer credit sales	No	No - But relates to manner in which one or more agency deliverables is provided		
100	§ 37-2-202	State	Statute	Authorizes certain additional charges for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
101	§ 37-2-203	State	Statute	Authorizes delinquency charges for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
102	§ 37-2-204	State	Statute	Authorizes deferral charges for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
103	§ 37-2-205	State	Statute	Authorizes credit service charge on refinancing for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
104	§ 37-2-206	State	Statute	Authorizes credit service charge on consolidation for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
105	§ 37-2-207	State	Statute	Authorizes credit service charge for revolving charge accounts for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
106	§ 37-2-208	State	Statute	Authorizes advances to perform covenants of buyer for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
107	§ 37-2-209	State	Statute	Authorizes right to prepay for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		

Legal Standards Template

Agency Name: Department of Consumer Affairs
 Agency Code: R2240 Section: 000

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? [Y/N]	Does the law specify a product or service your agency must or may provide?	If yes, what type of service or product?	If other service or product, please specify what service or product.
108	§ 37-2-210	State	Statute	Provides for rebate upon prepayment for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
109	§ 37-2-301	State	Statute	Establishes requirement to comply with Federal Truth in Lending Act	Yes	No - But relates to manner in which one or more agency deliverables is provided		
110	§ 37-2-302	State	Statute	Provides instructions regarding receipts; statement of account; evidence of payment for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
111	§ 37-2-303	State	Statute	Establishes notice to co-signer and similar parties for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
112	§ 37-2-304	State	Statute	Sets forth advertising requirements for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
113	§ 37-2-305	State	Statute	Establishes requirements for filing and posting maximum rate schedule for consumer credit sales.	Yes	Yes	Other service or product our agency must/may provide	Receive maximum rate schedules; issue maximum rate schedule certificates for posting by creditor; promulgate regulation establishing filing procedures
114	§ 37-2-306	State	Statute	Establishes requirement for filing notice of assumption of rights for consumer credit sales with the Department.	Yes	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	Receive filings relating to creditors' seller credit card plan disclosures as required by the Federal Truth-in-Lending Act, Federal Reserve Board Regulation Z, Section 226.5a(b), 12 C.F.R. Section 226.5a(b), and any amendments or replacements.
115	§ 37-2-307	State	Statute	Provides for required notice of closing fees on motor vehicle sales contract; requires motor vehicle dealers to pay a registration fee and file written notice with the Department indicating the maximum amount of a closing fee it intends to charge	Yes	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	Receive/Process filings relating to motor vehicle dealer closing fees; Review closing fee filings for reasonableness; Issue written orders detailing the Department's findings; Make and promulgate rules and regulations relating to motor vehicle dealer closing fees
116	§ 37-2-308	State	Statute	Sets forth disclosures for motor vehicle sales or leases; credit and lease advertising; penalties and hearing rights for consumer credit sales.	Yes	No - But relates to manner in which one or more agency deliverables is provided		
117	§ 37-2-309	State	Statute	Establishes manufactured home credit disclosure; material items for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
118	§ 37-2-401	State	Statute	Provides the scope of Part 4 - Limitations on Agreements and Practices	No	No - But relates to manner in which one or more agency deliverables is provided		
119	§ 37-2-402	State	Statute	Prohibits use of multiple agreements for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		

Agency Name: Department of Consumer Affairs

Agency Code: R280 Section: 080

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	If so, what type of service or product?	If there is no service or product, please specify what service or product:
120	§ 37-2-403	State	Statute	Prohibits certain negotiable instruments for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
121	§ 37-2-404	State	Statute	Establishes assignee is subject to claims and defenses for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
122	§ 37-2-405	State	Statute	Provides relief from balloon payments for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
123	§ 37-2-406	State	Statute	Sets forth restriction on liability in consumer lease for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
124	§ 37-2-407	State	Statute	Authorizes security interest in sales; prohibits security interest in leases for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
125	§ 37-2-408	State	Statute	Establishes cross-collateral for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
126	§ 37-2-409	State	Statute	Provides for debt secured by cross-collateral for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
127	§ 37-2-410	State	Statute	Prohibits assignment of earnings for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
128	§ 37-2-411	State	Statute	Prohibits certain referral sales and leases regarding consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
129	§ 37-2-412	State	Statute	Authorizes notice of assignment in certain situations for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
130	§ 37-2-413	State	Statute	Authorizes agreement provisions relating to attorney fees for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
131	§ 37-2-414	State	Statute	Establishes limitation on default charges for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
132	§ 37-2-415	State	Statute	Prohibits authorization to contest judgement for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
133	§ 37-2-416	State	Statute	Allows for change in terms of revolving charge accounts in certain situations for consumer credit sales; Establishes disclosure requirements	No	No - But relates to manner in which one or more agency deliverables is provided		

Agency Name: Department of Consumer Affairs
Agency Code: 8280 Section: 080

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	If yes, what type of service or product?	If other services or products, please specify what service or product.
134	§ 37-2-501	State	Statute	Sets forth definition of "home solicitation sale"	No	No - But relates to manner in which one or more agency deliverables is provided		
135	§ 37-2-502	State	Statute	Sets forth buyer's right to cancel	No	No - But relates to manner in which one or more agency deliverables is provided		
136	§ 37-2-503	State	Statute	Establishes form of agreement or offer; statement of buyer's rights regarding consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
137	§ 37-2-504	State	Statute	Sets forth restoration of down payment for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
138	§ 37-2-505	State	Statute	Establishes duty of buyer; no compensation for services before cancellation for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
139	§ 37-2-506	State	Statute	Authorizes compliance with Federal Trade Commission Trade Regulation Rule for consumer credit sales.	No	No - But relates to manner in which one or more agency deliverables is provided		
140	§ 37-2-601	State	Statute	Sets forth sales subject to the Consumer Protection Code by agreement of parties	No	No - But relates to manner in which one or more agency deliverables is provided		
141	§ 37-2-605	State	Statute	Authorizes credit service charge for sales other than a consumer credit sale	No	No - But relates to manner in which one or more agency deliverables is provided		
142	§ 37-2-701	State	Statute	Sets forth definitions relating to Chapter 2, Part 7 - Consumer Rental-Purchase Agreements	No	No - But relates to manner in which one or more agency deliverables is provided		
143	§ 37-2-702	State	Statute	Sets forth required disclosures; manner of disclosure; when disclosures are required for consumer rental-purchase agreement	No	No - But relates to manner in which one or more agency deliverables is provided		
144	§ 37-2-703	State	Statute	Establishes renegotiation and extension of consumer rental-purchase agreement	No	No - But relates to manner in which one or more agency deliverables is provided		
145	§ 37-2-704	State	Statute	Sets forth statement of terms regarding advertisements for consumer rental-purchase agreements	No	No - But relates to manner in which one or more agency deliverables is provided		
146	§ 37-2-705	State	Statute	Authorizes delinquency charges for consumer rental-purchase agreements	No	No - But relates to manner in which one or more agency deliverables is provided		
147	§ 37-2-706	State	Statute	Authorizes deposits, delivery charges, and pick up charges for consumer rental-purchase agreements	No	No - But relates to manner in which one or more agency deliverables is provided		

Promulgate regulations setting requirements relating to consumer rental-purchase agreements

Other services or product our agency must/may provide

Agency Name: Department of Consumer Affairs

Agency Code: RZ890 Section: 080

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statute	Statute	Does this law specify who your agency must or may score? (Y/N)	Does the law specify a product or service your agency must or may provide?	If YES, what type of service or product?	If other statute or product, please specify what service or product:
148	§ 37-2-707	State	Statute	Prohibits charge for default of lessee for consumer rental-purchase agreements	No	No	No - But relates to manner in which one or more agency deliverables is provided		
149	§ 37-2-708	State	Statute	Prohibits use of certain negotiable instruments for consumer rental-purchase agreements	No	No	No - But relates to manner in which one or more agency deliverables is provided		
150	§ 37-2-709	State	Statute	Establishes the effect of assignment of a consumer rental-purchase agreement on the claims or defenses of a consumer	No	No	No - But relates to manner in which one or more agency deliverables is provided		
151	§ 37-2-710	State	Statute	Prohibits assignment of earnings for consumer rental-purchase agreements	No	No	No - But relates to manner in which one or more agency deliverables is provided		
152	§ 37-2-711	State	Statute	Sets forth lessee's rights and obligations upon assignment for consumer rental-purchase agreements	No	No	No - But relates to manner in which one or more agency deliverables is provided		
153	§ 37-2-712	State	Statute	Prohibits confession of judgment for consumer rental-purchase agreements	No	No	No - But relates to manner in which one or more agency deliverables is provided		
154	§ 37-2-713	State	Statute	Sets forth lessee's right to return property, continue rental, or purchase property before end of rental-purchase agreement	No	No	No - But relates to manner in which one or more agency deliverables is provided		
155	§ 37-2-714	State	Statute	Authorizes lessee's right to reinstatement of rental-purchase agreement in certain circumstances	No	No	No - But relates to manner in which one or more agency deliverables is provided		
156	§ 37-3-301	State	Statute	Establishes the name of the chapter as South Carolina Consumer Protection Code - Loans	No	No	No - But relates to manner in which one or more agency deliverables is provided		
157	§ 37-3-102	State	Statute	Provides the scope for consumer loans.	No	No	No - But relates to manner in which one or more agency deliverables is provided		
158	§ 37-3-103	State	Statute	Establishes the index of definitions for consumer loans.	No	No	No - But relates to manner in which one or more agency deliverables is provided		
159	§ 37-3-104	State	Statute	Sets forth the definition of "consumer loan"	No	No	No - But relates to manner in which one or more agency deliverables is provided		
160	§ 37-3-105	State	Statute	Excludes first mortgage real estate loans from definition of "consumer loan" except for certain circumstances	No	No	No - But relates to manner in which one or more agency deliverables is provided		
161	§ 37-3-106	State	Statute	Sets forth the definition of "loan" for consumer loans.	No	No	No - But relates to manner in which one or more agency deliverables is provided		

Legal Standards Template

Agency Name: Department of Consumer Affairs
 Agency Code: R230 Section: 080

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	If other, please specify what service or product?
162	§ 37-3-107	State	Statute	Provides definitions for "lender", "precomputed", and "principal" for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided	
163	§ 37-3-108	State	Statute	Provides definition of "revolving loan account" for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided	
164	§ 37-3-109	State	Statute	Provides definition of "loan finance charge" for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided	
165	§ 37-3-200	State	Statute	Explains that Part 2 of Chapter 3 (Maximum Charges) does not apply to restricted loans or restricted lenders	No	No - But relates to manner in which one or more agency deliverables is provided	
166	§ 37-3-201	State	Statute	Authorizes loan finance charge for consumer loans; Sets forth how loan finance charge may be contracted for and received	No	No - But relates to manner in which one or more agency deliverables is provided	
167	§ 37-3-202	State	Statute	Authorizes certain additional charges for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided	
168	§ 37-3-203	State	Statute	Authorizes delinquency charges for consumer loans in certain circumstances.	No	No - But relates to manner in which one or more agency deliverables is provided	
169	§ 37-3-204	State	Statute	Authorizes deferral charges for consumer loans in certain circumstances.	No	No - But relates to manner in which one or more agency deliverables is provided	
170	§ 37-3-205	State	Statute	Authorizes loan finance charge on refinancing for consumer loans in certain circumstances	No	No - But relates to manner in which one or more agency deliverables is provided	
171	§ 37-3-206	State	Statute	Authorizes loan finance charge on consolidation for consumer loans in certain circumstances	No	No - But relates to manner in which one or more agency deliverables is provided	
172	§ 37-3-207	State	Statute	Authorizes conversion to revolving loan account for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided	
173	§ 37-3-208	State	Statute	Provides for advances to perform covenants of debtor	No	No - But relates to manner in which one or more agency deliverables is provided	
174	§ 37-3-209	State	Statute	Institutes right to prepay for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided	
175	§ 37-3-210	State	Statute	Provides for rebate upon prepayment for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided	

Legal Standards Templates

Item #	Low Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	If YES, what type of service or product?	If other statute or product, please specify what service or product?
176	§ 37-3-301	State	Statute	Sets forth application and compliance with Federal Truth in Lending Act	No	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	Receive maximum rate schedules, issue maximum rate schedule certificates for posting by creditor; promulgate regulation establishing filing procedures
177	§ 37-3-302	State	Statute	Establishes receipts, statements of account, and evidence of payment for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	Receive filings relating to lenders' credit card plan disclosures as required by the Federal Truth-in-Lending Act, Federal Reserve Board Regulation Z, Section 226.54(b), 12 C.F.R. Section 226.54(b), and any amendments or replacements.
178	§ 37-3-303	State	Statute	Sets forth notice to co-signers and similar parties for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	
179	§ 37-3-304	State	Statute	Sets forth advertising requirements for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	
180	§ 37-3-305	State	Statute	Requires the filing and posting maximum rate schedule for consumer loans.	No	Yes	Other service or product our agency must/may provide	
181	§ 37-3-306	State	Statute	Establishes notice of assumption rights for consumer loans	No	Yes	Other service or product our agency must/may provide	
182	§ 37-3-308	State	Statute	Sets forth manufactured home loan disclosure and material terms for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	
183	§ 37-3-401	State	Statute	Limits scope of Chapter 3, Part 4 (Limitation on Agreements) to consumer loans	No	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	
184	§ 37-3-402	State	Statute	Provides relief from balloon payments for consumer loans	No	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	
185	§ 37-3-403	State	Statute	Prohibits assignment of earnings for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	
186	§ 37-3-404	State	Statute	Allows for contracting of reasonable attorney's fees for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	
187	§ 37-3-405	State	Statute	Prohibits charges as a result of default other than those authorized by the Consumer Protection Code	No	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	
188	§ 37-3-406	State	Statute	Authorizes notice of assignment for consumer loans in certain circumstances.	No	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	

Legal Standards Template

Agency Name: Department of Consumer Affairs
Agency Code: 8280 Section: 000

Item #	Law Number	Justification	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify a product or service your agency must or may provide?	If "Y", what type of review or product?	Under review of product. Please specify when review or product.
					Y/N		
188	§ 37-3-407	State	Statute	Prohibits authorization to confess judgement for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided	
190	§ 37-3-408	State	Statute	Authorities change in terms of revolving loan accounts for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided	
191	§ 37-3-409	State	Statute	Prohibits use of multiple agreements with intent to avoid disclosure of an annual percentage rate for consumer loans	No	No - But relates to manner in which one or more agency deliverables is provided	
192	§ 37-3-410	State	Statute	Sets forth that lender is subject to claims and defenses arising from sale and leases for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided	
193	§ 37-3-411	State	Statute	Sets forth that card issuer is subject to claims and defenses for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided	
194	§ 37-3-412	State	Statute	Provides for circumstances in which a variable interest for rate real estate mortgage loans may be permissible	No	No - But relates to manner in which one or more agency deliverables is provided	
195	§ 37-3-413	State	Statute	Defines "short-term vehicle secured loan"; Provides for notice to borrower for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided	
196	§ 37-3-500	State	Statute	Limits scope of Chapter 3, Part 5 (Supervised Loans) to not apply to restricted loans or restricted lenders	No	No - But relates to manner in which one or more agency deliverables is provided	
197	§ 37-3-501	State	Statute	Provides definitions for "supervised loan", "supervised lender", "restricted loan", "restricted lender" for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided	
198	§ 37-3-502	State	Statute	Establishes authority to make supervised loans for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided	
199	§ 37-3-503	State	Statute	Provides for the State Board of Financial Institutions to license supervised lenders	No	No - But relates to manner in which one or more agency deliverables is provided	
200	§ 37-3-504	State	Statute	Provides for revocation or suspension of license for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided	
201	§ 37-3-505	State	Statute	Establishes requirement for maintenance of records and providing of annual reports by licensees	No	No - But relates to manner in which one or more agency deliverables is provided	
202	§ 37-3-506	State	Statute	Establishes examination and investigations for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided	

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	If YES, what type of service or product?	If YES, please specify what service or product.
203	§ 37-3-507	State	Statute	Sets forth application of Part on Administrative Procedure and Judicial Review	No	No - But relates to manner in which one or more agency deliverables is provided		
204	§ 37-3-509	State	Statute	Prohibits use of multiple agreements for single consumer loan transaction when intent is to obtain a higher loan finance charge	No	No - But relates to manner in which one or more agency deliverables is provided		
205	§ 37-3-510	State	Statute	Provides restrictions on interest in land as security for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided		
206	§ 37-3-511	State	Statute	Establishes regular schedule of payments and maximum loan term for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided		
207	§ 37-3-512	State	Statute	Sets forth conduct of business other than making loans for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided		
208	§ 37-3-513	State	Statute	Provides that the application of all provisions of Title relating to consumer loans apply also to supervised loans	No	No - But relates to manner in which one or more agency deliverables is provided		
209	§ 37-3-514	State	Statute	Establishes limitation on attorney's fees for supervised loans.	No	No - But relates to manner in which one or more agency deliverables is provided		
210	§ 37-3-515	State	Statute	Establishes loan renewal limitations for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided		
211	§ 37-3-601	State	Statute	Establishes loans subject to Title by agreement of parties	No	No - But relates to manner in which one or more agency deliverables is provided		
212	§ 37-3-605	State	Statute	Authorizes loan finance charge for other loans for consumer loans.	No	No - But relates to manner in which one or more agency deliverables is provided		
213	§ 37-4-101	State	Statute	Provides Title 37, Chapter 4 shall be known as South Carolina Consumer Protection Code - No Insurance	No	No - But relates to manner in which one or more agency deliverables is provided		
214	§ 37-4-102	State	Statute	Provides the scope for Title 37, Chapter 4.	No	No - But relates to manner in which one or more agency deliverables is provided		
215	§ 37-4-103	State	Statute	Provides the definition for "consumer credit insurance"	No	No - But relates to manner in which one or more agency deliverables is provided		
216	§ 37-4-104	State	Statute	Establishes creditor's provision of and charge for insurance; excess amount of charge for consumer insurance.	No	No - But relates to manner in which one or more agency deliverables is provided		

Agency Name: Department of Consumer Affairs
Agency Code: R280 Section: 090

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	If yes, what type of service or product?	Other service or product our agency must/may provide	Enforce chapter with cooperation of Director of the Department of Insurance
217	§ 37-4-105	State	Statute	Sets forth conditions applying to insurance to be provided by creditor for consumer insurance.	No	No - But relates to manner in which one or more agency deliverables is provided			
218	§ 37-4-106	State	Statute	Sets forth unconscionability for consumer insurance.	No	No - But relates to manner in which one or more agency deliverables is provided			
219	§ 37-4-107	State	Statute	Sets forth maximum charges allowed by creditor for consumer insurance.	No	No - But relates to manner in which one or more agency deliverables is provided			
220	§ 37-4-108	State	Statute	Sets forth refund or credit required; amount for consumer insurance.	No	No - But relates to manner in which one or more agency deliverables is provided			
221	§ 37-4-109	State	Statute	Provides for existing insurance, choice of insurer for consumer insurance.	No	No - But relates to manner in which one or more agency deliverables is provided			
222	§ 37-4-110	State	Statute	Prohibits charge for insurance in connection with deferral, refinancing or consolidation unless certain criteria are met; prohibits duplicate charges for consumer insurance.	No	No - But relates to manner in which one or more agency deliverables is provided			
223	§ 37-4-111	State	Statute	Authorizes and directs cooperation between Administrator and Insurance Commissioner for consumer insurance.	Yes	Yes		Other service or product our agency must/may provide	Enforce chapter with cooperation of Director of the Department of Insurance
224	§ 37-4-112	State	Statute	Sets forth administrative action of Director of the Department of Insurance for consumer insurance.	No	No - But relates to manner in which one or more agency deliverables is provided			
225	§ 37-4-201	State	Statute	Sets forth term of insurance; medical evidence of insurability disclosure requirements	No	No - But relates to manner in which one or more agency deliverables is provided			
226	§ 37-4-202	State	Statute	Provides the amount of insurance for consumer insurance.	No	No - But relates to manner in which one or more agency deliverables is provided			
227	§ 37-4-203	State	Statute	Establishes filing and approval of rates and forms for consumer insurance.	No	No - But relates to manner in which one or more agency deliverables is provided			
228	§ 37-4-204	State	Statute	Sets forth minimum charges and retentions for consumer insurance.	No	No - But relates to manner in which one or more agency deliverables is provided			
229	§ 37-4-205	State	Statute	Provides for payment on legitimate insurance claim; damages; fees; costs for consumer insurance.	No	No - But relates to manner in which one or more agency deliverables is provided			
230	§ 37-4-206	State	Statute	Establishes required disclosures; need for debtor to sign for consumer insurance.	No	No - But relates to manner in which one or more agency deliverables is provided			

Legal Standards Templates

Agency Name: **Department of Consumer Affairs**
 Agency Code: **R2200** Section: **080**

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	IF YES, WHAT TYPE OF SERVICE OR PRODUCT?	IF OTHER SERVICE OR PRODUCT, PLEASE SPECIFY WHAT SERVICE OR PRODUCT?
231	§ 37-4-207	State	Statute	Prohibits misrepresentation of medical condition as basis for voiding insurance in certain circumstances.	No	No - But relates to manner in which one or more agency deliverables is provided		
232	§ 37-4-208	State	Statute	Sets forth amount that may be charged for nonfiling insurance coverage for consumer insurance.	No	No - But relates to manner in which one or more agency deliverables is provided		
233	§ 37-4-209	State	Statute	Allows for combining disclosures for consumer insurance.	No	No - But relates to manner in which one or more agency deliverables is provided		
234	§ 37-4-210	State	Statute	Provides what constitutes a disability for consumer insurance.	No	No - But relates to manner in which one or more agency deliverables is provided		
235	§ 37-4-301	State	Statute	Establishes parameters for sale of property and liability insurance with a consumer credit transaction.	No	No - But relates to manner in which one or more agency deliverables is provided		
236	§ 37-4-302	State	Statute	Sets forth insurance on creditor's interest only for consumer insurance.	No	No - But relates to manner in which one or more agency deliverables is provided		
237	§ 37-4-303	State	Statute	Sets forth limits to contracts for liability insurance	No	No - But relates to manner in which one or more agency deliverables is provided		
238	§ 37-4-304	State	Statute	Prohibits cancellation of property or liability insurance by creditor, except in case of default or written authorization by debtor	No	No - But relates to manner in which one or more agency deliverables is provided		
240	§ 37-5-101	State	Statute	Provides Title 37, Chapter 5 shall be known as South Carolina Consumer Protection Code - No Remedies and Penalties	No	No - But relates to manner in which one or more agency deliverables is provided		
241	§ 37-5-102	State	Statute	Provides the scope for Title 37, Chapter 5	No	No - But relates to manner in which one or more agency deliverables is provided		
242	§ 37-5-103	State	Statute	Sets forth the restrictions on deficiency judgements in consumer credit sales	No	No - But relates to manner in which one or more agency deliverables is provided		
243	§ 37-5-104	State	Statute	Prohibits wage garnishment	No	No - But relates to manner in which one or more agency deliverables is provided		
244	§ 37-5-106	State	Statute	Provides that employee may not be discharged due to garnishment by a creditor	No	No - But relates to manner in which one or more agency deliverables is provided		
245	§ 37-5-107	State	Statute	Prohibits extortionate extensions of credit	No	No - But relates to manner in which one or more agency deliverables is provided		

Agency Name: Department of Consumer Affairs
 Agency Code: 8280 Section: 080

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statute	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	Other service or product our agency must/may provide	If other service is provided, please specify what service is provided.
246	§ 37-5-108	State	Statute	Sets forth remedies and penalties for unconscionable and inducement by unconscionable conduct	No	Yes	Other service or product our agency must/may provide	Receive, investigate, evaluate and attempt to resolve debt collection complaints; distribute copies of any complaints alleging unconscionable debt collection practices to entity complained about; provide copies of complaints relating to unconscionable conduct in collecting a debt of a supervised lender to the Director of the Consumer Finance Division of the State Board of Financial
247	§ 37-5-109	State	Statute	Limits agreement provisions related to default	No	No	No - But relates to manner in which one or more agency deliverables is provided	
248	§ 37-5-110	State	Statute	Provides for notice of consumer's right to cure	No	No	No - But relates to manner in which one or more agency deliverables is provided	
249	§ 37-5-111	State	Statute	Provides a cure of default for consumer remedies and penalties.	No	No	No - But relates to manner in which one or more agency deliverables is provided	
250	§ 37-5-112	State	Statute	Establishes creditor's right to take possession after default provided no entry into a place of residence needed and no other breach of the peace will occur	No	No	No - But relates to manner in which one or more agency deliverables is provided	
251	§ 37-5-113	State	Statute	Sets forth venue, complaint, stay of enforcement or relief from default judgement	No	No	No - But relates to manner in which one or more agency deliverables is provided	
252	§ 37-5-114	State	Statute	Sets forth Complaint criteria for action arising out of a consumer credit transaction; Default judgment limitations	No	No	No - But relates to manner in which one or more agency deliverables is provided	
253	§ 37-5-115	State	Statute	Authorizes stay of enforcement of or relief from default judgement	No	No	No - But relates to manner in which one or more agency deliverables is provided	
254	§ 37-5-117	State	Statute	Establishes notice period for lien or submission of debt to credit bureau or reporting agency, by health care services provider; Sets forth penalty	No	No	No - But relates to manner in which one or more agency deliverables is provided	
256	§ 37-5-202	State	Statute	Sets forth effect of violations on right of parties	Yes	Yes	Other service or product our agency must/may provide	Notify creditors of violations.
257	§ 37-5-203	State	Statute	Establishes civil liability for violation of disclosure provisions	No	No	No - But relates to manner in which one or more agency deliverables is provided	
258	§ 37-5-205	State	Statute	Authorizes refunds and penalties as setoff to obligation	No	No	No - But relates to manner in which one or more agency deliverables is provided	

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	If YES, what type of service or product?	If other service or product, please specify what service or product?
259	§ 37-5-301	State	Statute	Sets forth criminal penalties for willful violations of applicable laws	No	No - But relates to manner in which one or more agency deliverables is provided		
260	§ 37-5-302	State	Statute	Establishes criminal penalties for disclosure violations	No	No - But relates to manner in which one or more agency deliverables is provided		
261	§ 37-5-303	State	Statute	Sets forth criminal penalties for fraudulent use of cards	No	No - But relates to manner in which one or more agency deliverables is provided		
262	§ 37-6-101	State	Statute	Provides Title 37, Chapter 6 shall be known as South Carolina Consumer Protection Code - Administration	No	No - But relates to manner in which one or more agency deliverables is provided		
263	§ 37-6-102	State	Statute	Sets forth applicability of Part 1 of Chapter 6 (Powers and Functions of Administrators)	Yes	No - But relates to manner in which one or more agency deliverables is provided		
264	§ 37-6-103	State	Statute	Provides definition for "administrator"	No	No - But relates to manner in which one or more agency deliverables is provided		
265	§ 37-6-104	State	Statute	Establishes power of administrator; harmony with federal regulations; reliance on rules; duty to report	No	Yes	Other service or product our agency must/may provide	Receive complaints, educate businesses and consumers, make studies, appoint attorneys and other employees, engage in rulemaking, investigate and enforce Title, coordinate and cooperate with other state and federal agencies; Annually issue State of Credit Report
266	§ 37-6-105	State	Statute	Sets forth administrator's powers with respect to supervised financial organizations	No	Yes	Other service or product our agency must/may provide	Information gathering relating to supervised financial organizations; take legal action; consult and assist other agencies with enforcement of Title against supervised financial organizations
267	§ 37-6-106	State	Statute	Institutes investigatory power of Administrator	Yes	Yes	Other service or product our agency must/may provide	Engage in investigations of persons subject to Title, subpoena witnesses, compel attendance, adduce evidence, and require production of any matter; apply to Administrative Law Court when an entity fails to obey a subpoena
268	§ 37-6-107	State	Statute	Establishes application of Administrative Procedures Act on Part 1 of Chapter 6 (Administration)	No	No - But relates to manner in which one or more agency deliverables is provided		
269	§ 37-6-108	State	Statute	Provides for administrative enforcement orders	Yes	Yes	Other service or product our agency must/may provide	Issue Administrative Orders; Levy administrative penalties; Issue written warnings and violations letters
270	§ 37-6-109	State	Statute	Allows for acceptance of assurance of discontinuance	Yes	Yes	Other service or product our agency must/may provide	Accept Assurance of Discontinuance from entities

Agency Name: **Department of Consumer Affairs**
 Agency Code: **R280** Section: **080**

Legal Standards Templates

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirements and/or Authority Granted	Does this law specify a product or service your agency must or may provide? (Y/N)	Does the law specify a product or service your agency must or may provide?	Other service or product our agency must/may provide	If applicable, what type of remedy is provided?
271	§ 37-6-110	State	Statute	Authorizes injunctions against violations of title	Yes	Yes	Other service or product our agency must/may provide	May bring civil action to restrain entity from violating Title and for appropriate relief
272	§ 37-6-111	State	Statute	Allows for injunctions against unconscionable agreements and fraudulent or unconscionable conduct	Yes	Yes	Other service or product our agency must/may provide	May bring civil action
273	§ 37-6-112	State	Statute	Provides temporary relief for consumer administration.	Yes	Yes	Other service or product our agency must/may provide	May apply to the court for appropriate temporary relief
274	§ 37-6-113	State	Statute	Provides for civil actions by Administrator	Yes	Yes	Other service or product our agency must/may provide	May bring civil action
275	§ 37-6-115	State	Statute	Establishes debtors' remedies are not affected by Administrator's powers	No	No	No - But relates to manner in which one or more agency deliverables is provided	
276	§ 37-6-116	State	Statute	Sets forth venue for Administrator action	No	No	No - But relates to manner in which one or more agency deliverables is provided	
277	§ 37-6-117	State	Statute	Sets forth administrative responsibilities respecting consumer protection generally	Yes	Yes	Other service or product our agency must/may provide	Receive complaints; refer to other state/federal agencies; Cooperate and assist SC and US Attorney General and other state/local agencies performing consumer protection functions; Educate consumers and businesses; Make recommendations to Governor and legislature about new laws and amendments; Bring an individual action for a consumer; Develop pamphlet explaining rights and responsibilities of consumers
278	§ 37-6-118	State	Statute	Allows investigation of unfair trade practices in consumer transactions	Yes	Yes	Other service or product our agency must/may provide	Provide notice to party being investigated of Administrator's findings of fact and conclusions
279	§ 37-6-119	State	Statute	Establishes trade practices targeting vulnerable adults prohibited; penalties	Yes	Yes	Other service or product our agency must/may provide	Issue an administrative order to cease and desist, to return property or money received in violation of this section, and to impose penalties; bring civil action seeking equitable relief
280	§ 37-6-201	State	Statute	Sets forth applicability of Part 2 of Chapter 6 (Notification and Fees)	No	No	No - But relates to manner in which one or more agency deliverables is provided	
281	§ 37-6-202	State	Statute	Establishes consumer credit grantor notification requirement	No	No	No - But relates to manner in which one or more agency deliverables is provided	Process credit grantor notification filings.
282	§ 37-6-203	State	Statute	Establishes fees for consumer credit grantor notification filings	No	No	No - But relates to manner in which one or more agency deliverables is provided	
283	§ 37-6-204	State	Statute	Establishes consumer credit grantor notification requirement for consumer rental-purchase agreements	Yes	Yes	Other service or product our agency must/may provide	Process credit grantor notification filings for consumer rental-purchase agreements

Agency Name: **Department of Consumer Affairs**
 Agency Code: **R280** Section: **CRB**

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	Y/N, what type of statute or product?	If other, name of product, please specify what service or product:
284	§ 37-6-301	State	Statute	Creates Council of Advisors on Consumer Credit	No	No - But relates to manner in which one or more agency deliverables is provided		
285	§ 37-6-302	State	Statute	Establishes function of council; Addresses conflicts of interest	No	No - But relates to manner in which one or more agency deliverables is provided		
286	§ 37-6-303	State	Statute	Sets forth required number of meetings between Council and Administrator	Yes	Yes	Other service or product our agency must/may provide	Meet with Council at least twice per year
287	§ 37-6-401	State	Statute	Establishes applicability and scope of Part 4, Chapter 6 (Administrative Procedures and Judicial Review)	No	No - But relates to manner in which one or more agency deliverables is provided		
288	§ 37-6-402	State	Statute	Provides definitions for "contested case", "license", "licensing", "party", "rule" for consumer administration.	No	No - But relates to manner in which one or more agency deliverables is provided		
289	§ 37-6-403	State	Statute	Sets forth public information; adoption of rules; availability to other rule-making orders for Administrator	No	Yes	Other service or product our agency must/may provide	Adopt rules; Make rules open to public inspection
290	§ 37-6-404	State	Statute	Establishes procedure for adoption of rules by Administrator	No	Yes	Other service or product our agency must/may provide	Notice relating to adoption, amendment or reil of any rule
291	§ 37-6-405	State	Statute	Establishes filing and taking effect of rules for Administrator	No	Yes	Other service or product our agency must/may provide	Provide Secretary of State a certified copy of each rule adopted by Administrator
292	§ 37-6-406	State	Statute	Provides for publication of rules by Secretary of State	No	No - But relates to manner in which one or more agency deliverables is provided		
293	§ 37-6-407	State	Statute	Institutes petition for adoption of rules for Administrator	Yes	Yes	Other service or product our agency must/may provide	Prescribe form for petitions and the procedure for their submission, consideration, and disposition;
294	§ 37-6-408	State	Statute	Authorizes declaratory judgement on validity or applicability of rules	Yes	Yes	Other service or product our agency must/may provide	Deny petitions or initiate rule-making proceedings
295	§ 37-6-409	State	Statute	Provides for declaratory rulings by Administrator for consumer administration.	No	Yes	Other service or product our agency must/may provide	Serve as party in any action for declaratory judgment against a rule of the Administrator
296	§ 37-6-410	State	Statute	Sets forth information relating to contested cases, notices, hearing, and records	No	No - But relates to manner in which one or more agency deliverables is provided		
297	§ 37-6-411	State	Statute	Provides rules of evidence and official notice for contested case hearings	No	No - But relates to manner in which one or more agency deliverables is provided		
298	§ 37-6-412	State	Statute	Sets forth requirements of decisions and orders from a contested case hearing	No	No - But relates to manner in which one or more agency deliverables is provided		

Agency Name: Department of Consumer Affairs
 Agency Code: R280 Section: 000

Item #	Law Number	Jurisdiction	Type of Law	Statute	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	If yes, what type of service or product?	If otherwise or product, please specify what service or product.
299	§ 37-6-413	State	Statute		Sets forth application of Part on grant or denial of a license required to be preceded by notice and opportunity for hearing	No	No - But relates to manner in which one or more agency deliverables is provided		
300	§ 37-6-414	State	Statute		Allows for contested case hearing before the Administrative Law Court	No	No - But relates to manner in which one or more agency deliverables is provided		
301	§ 37-6-501	State	Statute		Creates the Department of Consumer Affairs, the Commission on Consumer Affairs, and the Office of Administrator of Consumer Affairs	No	No - But relates to manner in which one or more agency deliverables is provided		
302	§ 37-6-502	State	Statute		Sets forth requirements of members of Commission on Consumer Affairs, including terms and vacancies	No	No - But relates to manner in which one or more agency deliverables is provided		
303	§ 37-6-503	State	Statute		Establishes quorum and meeting requirements	Yes	Yes	Other service or product our agency must/may provide	Engage in monthly meetings with Commission
304	§ 37-6-504	State	Statute		Sets forth bond requirements of Commission members	No	No - But relates to manner in which one or more agency deliverables is provided		
305	§ 37-6-505	State	Statute		Authorizes compensation and expenses for Commission members	No	No - But relates to manner in which one or more agency deliverables is provided		
306	§ 37-6-506	State	Statute		Establishes powers and duties of Commission	No	No - But relates to manner in which one or more agency deliverables is provided		
307	§ 37-6-507	State	Statute		Sets forth qualifications of Administrator	No	No - But relates to manner in which one or more agency deliverables is provided		
308	§ 37-6-508	State	Statute		Provides for Deputy Administrator	No	No - But relates to manner in which one or more agency deliverables is provided		
309	§ 37-6-509	State	Statute		Requires oath and bond of Administrator	No	No - But relates to manner in which one or more agency deliverables is provided		
310	§ 37-6-510	State	Statute		Sets forth requirements relating to personnel	Yes	Yes	Other service or product our agency must/may provide	Prepare written manual of necessary employee positions for the Department
311	§ 37-6-511	State	Statute		Requires Department to maintain file for each creditor of rate schedules filed by creditor; Sets forth related fees	Yes	Yes	Other service or product our agency must/may provide	Maintain file for each creditor's max rate schedules; Provide copy of filing to creditor; Process filing fees
312	§ 37-6-512	State	Statute		Establishes advisory committee of persons with cognizable handicaps	Yes	Yes	Other service or product our agency must/may provide	Appoint advisory committee
313	§ 37-6-601	State	Statute		Establishes the Division of Consumer Advocacy within the Department of Consumer Affairs	No	No - But relates to manner in which one or more agency deliverables is provided		

Agency Name: **Department of Consumer Affairs**

Agency Code: **8280** Section: **080**

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	What type of structure or process?	Other service or product our agency must/may provide	Provide legal representation: monitor existing regulations, rate structures, and policies; evaluate and act upon requests from consumers; provide information for annual report required of Commission on Consumer Affairs May request Order compelling witness or company to produce documentary evidence May file petition requesting regulatory agency commence or complete a proceeding respecting any organization whose operations substantially affect the consumer interest May intervene or participate in any civil proceeding involving the review or enforcement of an agency action which substantially affects the interests of consumers
314	§ 37-6-602	State	Statute	Sets forth qualifications of Consumer Advocate	No	No - But relates to manner in which one or more agency deliverables is provided			
315	§ 37-6-603	State	Statute	Sets forth staff requirements and expenses of Division of Consumer Advocacy	No	No - But relates to manner in which one or more agency deliverables is provided			
316	§ 37-6-604	State	Statute	Sets forth functions and duties of Division of Consumer Advocacy	Yes	Yes		Other service or product our agency must/may provide	
317	§ 37-6-605	State	Statute	Provides for access of Consumer Advocate to records of state agencies and insurance companies	Yes	Yes		Other service or product our agency must/may provide	
318	§ 37-6-606	State	Statute	Provides for petitions filed by advocate with regulatory agencies in interest of consumers	Yes	Yes		Other service or product our agency must/may provide	
319	§ 37-6-607	State	Statute	Establishes advocate may maintain actions for judicial review	No	Yes		Other service or product our agency must/may provide	
320	§ 37-6-608	State	Statute	Provides for temporary staff; Sets forth compensation requirements	No	No - But relates to manner in which one or more agency deliverables is provided			
321	§ 37-6-609	State	Statute	Establishes discretion as to Consumer Advocate's decisions.	No	No - But relates to manner in which one or more agency deliverables is provided			
322	§ 37-7-101	State	Statute	Provides definitions for terms used in this Chapter	No	No - But relates to manner in which one or more agency deliverables is provided			
323	§ 37-7-102	State	Statute	Institutes licensing requirement for consumer credit counseling.	Yes	Yes		Other service or product our agency must/may provide	Issue licenses
324	§ 37-7-103	State	Statute	Sets forth requirement of surety bonds for consumer credit counseling.	No	No - But relates to manner in which one or more agency deliverables is provided			
325	§ 37-7-104	State	Statute	Sets forth requirement of license application as credit counseling organization and credit counselor; includes content of application and required filing fee	Yes	Yes		Other service or product our agency must/may provide	Receive credit counseling applications; issue licenses
326	§ 37-7-105	State	Statute	Sets forth continuing professional education requirements for consumer credit counseling.	Yes	Yes		Other service or product our agency must/may provide	Offer continuing professional education courses; appoint panel members; assess penalties
327	§ 37-7-106	State	Statute	Establishes grounds for refusal to license, suspension, revocation or refusal to renew for consumer credit counseling.	Yes	Yes		Other service or product our agency must/may provide	May refuse to issue license, or may suspend or revoke a license

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify a product or service your agency must or may provide?	Does the law specify a product or service your agency must or may provide?	Other service or product our agency must/may provide	If Other Service or Product, please specify what review is required
328	§ 37-7-307	State	Statute	Provides for issuance or denial of license; contents and posting; renewal for consumer credit counseling.	Yes	Yes	Issue licenses; Deny licensure; Process renewal applications	
329	§ 37-7-108	State	Statute	Sets forth requirements for engaging in credit counseling services or debt management plans; preparation and contents of budget analysis; notice regarding services for consumer credit counseling.	No	No	No - But relates to manner in which one or more agency deliverables is provided	
330	§ 37-7-109	State	Statute	Authorizes debt management plan; fee; form for consent of creditors; notice of plan to creditors; presumed consent for consumer credit counseling.	No	No	No - But relates to manner in which one or more agency deliverables is provided	
331	§ 37-7-110	State	Statute	Sets forth requirement of written contract; Sets forth required contents, required disclosures; cancellation of plan for consumer credit counseling.	No	No	No - But relates to manner in which one or more agency deliverables is provided	
332	§ 37-7-111	State	Statute	Sets forth requirement relating to funds paid to licensee for distribution to creditors; trust accounts; duties and responsibilities for consumer credit counseling.	No	No	No - But relates to manner in which one or more agency deliverables is provided	
333	§ 37-7-112	State	Statute	Prohibits fees not established by Department regulations	No	No	No - But relates to manner in which one or more agency deliverables is provided	
334	§ 37-7-113	State	Statute	Sets forth minimum requirements for individualized counseling and education session for consumer credit counseling.	No	No	No - But relates to manner in which one or more agency deliverables is provided	
335	§ 37-7-114	State	Statute	Sets forth records; maintenance and preservation for consumer credit counseling.	Yes	Yes	Other service or product our agency must/may provide	Review books, accounts, and records
336	§ 37-7-115	State	Statute	Authorizes annual reports; occurrences triggering other reports for consumer credit counseling.	No	No	No - But relates to manner in which one or more agency deliverables is provided	Review written reports; Assess penalty for failure to file written report
337	§ 37-7-116	State	Statute	Sets forth prohibited acts for consumer credit counseling.	No	No	No - But relates to manner in which one or more agency deliverables is provided	
338	§ 37-7-117	State	Statute	Sets forth violations and penalties; civil action by consumer; limitations for consumer credit counseling.	No	No	No - But relates to manner in which one or more agency deliverables is provided	
339	§ 37-7-118	State	Statute	Establishes violation of Unfair Trade Practices Act for consumer credit counseling.	No	No	No - But relates to manner in which one or more agency deliverables is provided	
340	§ 37-7-119	State	Statute	Authorizes cease and desist orders; penalties for noncompliance; revocation of license; increase of bond for consumer credit counseling.	Yes	Yes	Other service or product our agency must/may provide	May Issue Cease and Desist Orders; Assess penalties; Revoke licenses; Impose administrative
341	§ 37-7-120	State	Statute	Establishes appeals for consumer credit counseling.	No	No	No - But relates to manner in which one or more agency deliverables is provided	
342	§ 37-7-121	State	Statute	Provides regulations for consumer credit counseling.	No	No	Other service or product our agency must/may provide	May promulgate regulations

Agency Name: **Department of Consumer Affairs**
 Agency Code: **RZ/D** Section: **080**

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	E.g., what type of service or product?	If other services or products, please specify what service or product:
343	§ 37-7-122	State	Statute	Establishes use of application and renewal fees for consumer credit counseling.	No	No - But relates to manner in which one or more agency deliverables is provided		
344	§ 37-9-101	State	Statute	Sets forth time of taking effect; provisions for transition	No	No - But relates to manner in which one or more agency deliverables is provided		
345	§ 37-9-102	State	Statute	Establishes continuation of licensing of supervised lenders	No	No - But relates to manner in which one or more agency deliverables is provided		
346	§ 37-9-103	State	Statute	Sets forth relationship between separate subsidiary corporations; obligation of parent and subsidiary	No	No - But relates to manner in which one or more agency deliverables is provided		
347	§ 37-10-101	State	Statute	Sets forth scope of Chapter 10, Title 37 (Miscellaneous Loan Provisions)	No	No - But relates to manner in which one or more agency deliverables is provided		
348	§ 37-10-102	State	Statute	Sets forth attorney insurance preference requirement	Yes	Yes	Other service or product our agency must/may provide	Create attorney-insurance preference form for creditor use
349	§ 37-10-103	State	Statute	Authorizes prepayment of loans of one hundred fifty thousand dollars or less	No	No - But relates to manner in which one or more agency deliverables is provided		
350	§ 37-10-104	State	Statute	Sets forth a maximum loan finance charge that may be assessed on agricultural loans under twenty-five thousand dollars	No	No - But relates to manner in which one or more agency deliverables is provided		
351	§ 37-10-105	State	Statute	Sets forth violations and civil actions of Chapter	No	No - But relates to manner in which one or more agency deliverables is provided		
352	§ 37-10-106	State	Statute	Establishes maximum rate of interest for transaction without a contract and life insurance policy loans; Explains use of legal rate of interest	No	No - But relates to manner in which one or more agency deliverables is provided		
353	§ 37-10-107	State	Statute	Sets forth prohibitions on certain legal or equitable actions	No	No - But relates to manner in which one or more agency deliverables is provided		
354	§ 37-11-10	State	Statute	Establishes title of this Chapter as "State Continuing Care Retirement Community Act"	No	No - But relates to manner in which one or more agency deliverables is provided		
355	§ 37-11-20	State	Statute	Provides definitions for chapter	No	No - But relates to manner in which one or more agency deliverables is provided		
356	§ 37-11-30	State	Statute	Establishes licensing of continuing care retirement communities	Yes	Yes	Other service or product our agency must/may provide	Receive CCRIC applications; issue licenses

Agency Name: Department of Consumer Affairs
Agency Code: R2780 Section: 0800

Item #	Law Number	Jurisdiction	Typical Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	If Yes, what type of service or product?	If Either Service or Product, please specify what service or product.
357	§ 37-11-35	State	Statute	Sets forth contract requirements for continuing care retirement communities	No	No - But relates to manner in which one or more agency deliverables is provided		
358	§ 37-11-40	State	Statute	Sets forth requirement for a determination of financial responsibility of applicant for license	Yes	Yes	Other service or product our agency must/may provide	Must determine financial responsibility of applicant
359	§ 37-11-50	State	Statute	Provides for eligibility for license for continued care retirement communities	Yes	Yes	Other service or product our agency must/may provide	Issue licenses
360	§ 37-11-60	State	Statute	Provides disclosure requirements and retirement community complaint system	No	No - But relates to manner in which one or more agency deliverables is provided		
361	§ 37-11-70	State	Statute	Establishes itemized billing requirements for consumer continued care retirement.	No	No - But relates to manner in which one or more agency deliverables is provided		
362	§ 37-11-80	State	Statute	Provides regulations, examination of affairs of retirement community and health care providers, and communities and providers to submit books and records for consumer continued care retirement.	Yes	Yes	Other service or product our agency must/may provide	Promulgate regulations; Make examinations
363	§ 37-11-90	State	Statute	Authorities that certain entrance fees be placed in escrow account, release of funds, and exemptions from provisions of this section for consumer continued care retirement.	No	No - But relates to manner in which one or more agency deliverables is provided		
364	§ 37-11-95	State	Statute	Sets forth approval required prior to declaring or distributing dividend or similar distribution for consumer continued care retirement.	Yes	Yes	Other service or product our agency must/may provide	Provide approval to licensee's trying to declare or distribute a dividend or similar distribution which generates a retained deficit or increases and existing retained deficit
365	§ 37-11-100	State	Statute	Provides for disciplinary actions, sanctions, and assessment of costs against licensee	Yes	Yes	Other service or product our agency must/may provide	May take disciplinary action against licensee; Deny application for license; Revoke license; Impose administrative penalty; Issue a reprimand; Issue a cease and desist order; Implement a probationary period
366	§ 37-11-105	State	Statute	Institutes financial plan in case of insolvency or danger of insolvency, and penalty for failure to implement approved plan for continued care retirement communities	Yes	Yes	Other service or product our agency must/may provide	May require licensee to submit financial plan; Approve or disapprove of plan; May require licensee to obtain new or additional management
367	§ 37-11-120	State	Statute	Provides injunctions and criminal penalties for continued care retirement communities	Yes	Yes	Other service or product our agency must/may provide	May maintain action in the name of the State against entity operating a continuing care retirement facility without a license
368	§ 37-11-125	State	Statute	Authorities enforcement actions by Attorney General in Administrative Law Court for violations of this Chapter	No	No - But relates to manner in which one or more agency deliverables is provided		
369	§ 37-11-130	State	Statute	Authorities waiver of certain requirements for certain retirement communities	No	No - But relates to manner in which one or more agency deliverables is provided		
370	§ 37-11-135	State	Statute	Provides exemptions from Chapter for continued care retirement communities not charging entrance fee; Requires letter from Department	Yes	Yes	Other service or product our agency must/may provide	Issue letter of nonapplicability to certain entities

Agency Name: **Department of Consumer Affairs**
 Agency Code: **8220** Section: **080**

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Grant#	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	If Yes, what type of service or product?	(If other service or product, please specify in that service or product)
371	§ 37-11-137	State	Statute	Establishes retention and use of funds by Department	No	No - But relates to manner in which one or more agency deliverables is provided		
372	§ 37-11-140	State	Statute	Sets forth effective date of application of certain sections of chapter	No	No - But relates to manner in which one or more agency deliverables is provided		
373	§ 37-13-10	State	Statute	Sets forth definitions of terms used in Chapter 13 of Title 37 (Regulation of the Subleasing and Loan Assumption of Motor Vehicles)	No	No - But relates to manner in which one or more agency deliverables is provided		
374	§ 37-13-20	State	Statute	Establishes unlawful acts for consumer subleasing and loan assumption of motor vehicles.	No	No - But relates to manner in which one or more agency deliverables is provided		
375	§ 37-13-30	State	Statute	Sets forth that violation by other person not a defense to prosecution of sublease arranger; sublease arranger may not shift duties for consumer subleasing and loan assumption of motor vehicles.	No	No - But relates to manner in which one or more agency deliverables is provided		
376	§ 37-13-40	State	Statute	Authorizes civil penalties for violation of chapter; remedies	No	No - But relates to manner in which one or more agency deliverables is provided		
377	§ 37-13-50	State	Statute	Provides criminal penalties for violations Chapter	No	No - But relates to manner in which one or more agency deliverables is provided		
378	§ 37-13-60	State	Statute	Establishes promulgation of regulations by Department of Consumer Affairs for consumer subleasing and loan assumption of motor vehicles.	Yes	Yes	Other service or product our agency must/may provide	Promulgate regulations
379	§ 37-13-70	State	Statute	Authorizes education of public and enforcement of chapter by Department of Consumer Affairs for consumer subleasing and loan assumption of motor vehicles.	Yes	Yes	Other service or product our agency must/may provide	Educate public and enforce Chapter
380	§ 37-13-80	State	Statute	Sets forth promulgation of regulations as to licensing requirements; licensing fee for consumer subleasing and loan assumption of motor vehicles.	Yes	Yes	Other service or product our agency must/may provide	Promulgate regulations; Require licensing fees
381	§ 37-13-90	State	Statute	Provides rights and remedies provided in Chapter are in addition to other rights and remedies provided by law	No	No - But relates to manner in which one or more agency deliverables is provided		
382	§ 37-15-10	State	Statute	Provides Chapter 15 of Title 37 may be cited as the Prizes and Gifts Act	No	No - But relates to manner in which one or more agency deliverables is provided		
383	§ 37-15-20	State	Statute	Provides definitions for Chapter	No	No - But relates to manner in which one or more agency deliverables is provided		
384	§ 37-15-30	State	Statute	Establishes restrictions on representation that a person has won a prize or contest for consumer prizes and gifts.	No	No - But relates to manner in which one or more agency deliverables is provided		
385	§ 37-15-40	State	Statute	Establishes form and content of disclosures required as prerequisites to representation that person has chance to win something; exceptions; publisher of violative material not liable in regards to consumer prizes and gifts.	No	No - But relates to manner in which one or more agency deliverables is provided		

Agency Name: Department of Consumer Affairs
Agency Code: R2720 Section: 080

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	If other agency or product, please identify what service or product.
346	§ 37-15-50	State	Statute	Establishes restriction of representation that person has been specially selected for consumer prizes and gifts.	No	No - But relates to manner in which one or more agency deliverables is provided	
347	§ 37-15-60	State	Statute	Prohibits use of simulated checks or invoices for consumer prizes and gifts.	No	No - But relates to manner in which one or more agency deliverables is provided	
348	§ 37-15-70	State	Statute	Prohibits payment of excessive shipping or handling charges as precondition of receipt of gift or prize prohibited for consumer prizes and gifts.	No	No - But relates to manner in which one or more agency deliverables is provided	
349	§ 37-15-80	State	Statute	Establishes civil actions to enforce chapter; costs for consumer prizes and gifts.	No	No - But relates to manner in which one or more agency deliverables is provided	
349	§ 37-15-90	State	Statute	Provides violation of this chapter is unfair trade practice for consumer prizes and gifts.	No	No - But relates to manner in which one or more agency deliverables is provided	
349	§ 37-15-100	State	Statute	Sets forth procedures exempted from application of sections 27-15-40 through 37-15-70	No	No - But relates to manner in which one or more agency deliverables is provided	
352	§ 37-16-10	State	Statute	Provides definitions for Chapter 16 (Prepaid Legal Services)	No	No - But relates to manner in which one or more agency deliverables is provided	
353	§ 37-16-20	State	Statute	Establishes registration; bond or letter of credit for consumer prepaid legal services.	Yes	Yes	Other service or product our agency must/may provide
354	§ 37-16-30	State	Statute	Authorizes appointment of sales person as company representative; filing of name, address; and telephone number; renewal; fees; refusal or revocation of appointment for consumer prepaid legal services.	Yes	Yes	Other service or product our agency must/may provide
355	§ 37-16-40	State	Statute	Institutes annual registration; affirmation of continuation of bond; fee for consumer prepaid legal services.	Yes	Yes	Other service or product our agency must/may provide
356	§ 37-16-50	State	Statute	Provides for prior approval of contract; required provisions as to selection of attorney; approval process for consumer prepaid legal services.	Yes	Yes	Other service or product our agency must/may provide
357	§ 37-16-60	State	Statute	Institutes complaints for consumer prepaid legal services.	Yes	Yes	Other service or product our agency must/may provide
358	§ 37-16-70	State	Statute	Establishes sanctions for violation of chapter for consumer prepaid legal services.	Yes	Yes	Other service or product our agency must/may provide
359	§ 37-16-80	State	Statute	Sets forth failure to abide by contract; use of false, or deceptive acts or practices; repeated or systematic failure to comply or engaging in deceptive acts; sanctions for consumer prepaid legal services.	No	No - But relates to manner in which one or more agency deliverables is provided	
400	§ 37-16-90	State	Statute	Establishes promulgation of rules and regulations for consumer prepaid legal services.	Yes	Yes	Other service or product our agency must/may provide

Receive/process applications; Create application form
Receive/process applications; Create application form; Collect fees
Process renewal applications; Create forms
Review contracts; Approve/disapprove contracts
Review and investigate complaints
May file for contested case hearing with Administrative Law Court; May issue Administrative Orders
Promulgate regulations and rules

Agency Name: **Department of Consumer Affairs**
Agency Code: **8220** Section: **080**

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirements and/or Authority Granted	Does this law specify a product or service your agency must or may provide? (Y/N)	Does the law specify a product or service your agency must or may provide?	If "Yes," which type of service or product?	If "Other service or product," please specify what service or product.
401	§ 37-17.1	State	Statute	Provides Chapter 17 of Title 37 may be cited as the Discount Medical Plan Organization Registration Act	No	No - But relates to manner in which one or more agency deliverables is provided		
402	§ 37-17-20	State	Statute	Provides definitions for consumer Discount Medical Plan Organization Registration Act	No	No - But relates to manner in which one or more agency deliverables is provided		
403	§ 37-17-30	State	Statute	Establishes discount medical plan organizations; organizational, marketing and advertising requirements for Discount Medical Plan Organizations.	No	No - But relates to manner in which one or more agency deliverables is provided		
404	§ 37-17-40	State	Statute	Provides for registration and renewal, list of authorized representatives and marketers for Discount Medical Plan Organizations.	Yes	Yes	Other service or product our agency must/may provide	Process applications; Create forms
405	§ 37-17-50	State	Statute	Sets forth representative or marketer status for Discount Medical Plan Organizations.	Yes	Yes	Other service or product our agency must/may provide	Process applications; Create forms
406	§ 37-17-52	State	Statute	Sets forth required information to be provided to applicants by Discount Medical Plan Organizations.	No	No - But relates to manner in which one or more agency deliverables is provided		
407	§ 37-17-55	State	Statute	Provides rules relating to cancellation of membership; disclosures on initial contact; cancellation by customer for Discount Medical Plan Organizations.	No	No - But relates to manner in which one or more agency deliverables is provided		
408	§ 37-17-60	State	Statute	Sets forth application of chapter	Yes	Yes	Other service or product our agency must/may provide	Receive written notices
409	§ 37-17-70	State	Statute	Establishes administrative appeals for Discount Medical Plan Organizations.	No	No - But relates to manner in which one or more agency deliverables is provided		
410	§ 37-17-80	State	Statute	Institutes hearing before Administrative Law Court; assessment of administrative penalties for Discount Medical Plan Organizations.	Yes	Yes	Other service or product our agency must/may provide	May file for contested case hearing before Administrative Law Court
411	§ 37-17-90	State	Statute	Authorizes cease and desist orders for Discount Medical Plan Organizations.	Yes	Yes	Other service or product our agency must/may provide	May issue cease and desist orders
412	§ 37-17-100	State	Statute	Institutes request for reinstatement hearing following revocation or denial of renewal for Discount Medical Plan Organizations.	Yes	Yes	Other service or product our agency must/may provide	May reinstate or renew registration
413	§ 37-17-110	State	Statute	Sets forth assessment of costs for Discount Medical Plan Organizations.	Yes	Yes	Other service or product our agency must/may provide	May assess reasonable costs for investigation, disciplinary proceedings, court proceedings, or other actions to enforce this chapter
414	§ 37-17-120	State	Statute	Institutes promulgation of regulations for consumer Discount Medical Plan Organizations.	Yes	Yes	Other service or product our agency must/may provide	May promulgate regulations
415	§ 37-20-110	State	Statute	Provides definitions for the Consumer Identity Theft Protection Act.	No	No - But relates to manner in which one or more agency deliverables is provided		
416	§ 37-20-120	State	Statute	Institutes verification of addresses for consumer identity theft protection.	Yes	Yes	No - But relates to manner in which one or more agency deliverables is provided	

Agency Name	Department of Consumer Affairs
Agency Code	R2780 Section: 000

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify a product or service your agency must or may provide? (Y/N)	Does the law specify a product or service your agency must or may provide?	If other services or products, please specify what service or product:
417	§ 37-20-130	State	Statute	Authorizes initiating law enforcement investigation of identity theft for consumer identity theft protection.	No	No - But relates to manner in which one or more agency deliverables is provided	
418	§ 37-20-140	State	Statute	Establishes reflection of innocence of identity theft victim of crime committed using name in court records of person convicted of committing identity theft; petition for expedited judicial determination of factual innocence for consumer identity theft	No	No - But relates to manner in which one or more agency deliverables is provided	
419	§ 37-20-150	State	Statute	Institutes records of individuals who have been victims of identity theft to be maintained by State Law Enforcement Division; submission of fingerprints and other required information by victims for consumer identity theft protection.	No	No - But relates to manner in which one or more agency deliverables is provided	
420	§ 37-20-160	State	Statute	Authorizes security freezes on consumer files; request for replacement personal identification number or password; consumer reporting agency duties and responsibilities; exceptions for consumer identity theft protection.	Yes	No - But relates to manner in which one or more agency deliverables is provided	
421	§ 37-20-161	State	Statute	Establishes security freezes by consumer reporting agencies for protected consumers for consumer identity theft protection.	Yes	No - But relates to manner in which one or more agency deliverables is provided	
422	§ 37-20-170	State	Statute	Sets forth disputes as to accuracy of consumer records; penalties for willful or negligent violations; attorney fees; civil damages and injunctive relief for consumer identity theft protection.	Yes	No - But relates to manner in which one or more agency deliverables is provided	
423	§ 37-20-180	State	Statute	Institutes restrictions on publication and use of social security numbers; exceptions for consumer identity theft protection.	Yes	No - But relates to manner in which one or more agency deliverables is provided	
424	§ 37-20-190	State	Statute	Authorizes requirements for disposition of business records; exceptions for consumer identity theft protection.	Yes	No - But relates to manner in which one or more agency deliverables is provided	
425	§ 37-20-200	State	Statute	Establishes penalties imposed on consumer credit-reporting agencies for violation of consumer identity theft protection.	No	No - But relates to manner in which one or more agency deliverables is provided	
426	§ 37-21-10	State	Statute	Provides Chapter name- South Carolina Telephone Privacy Protection Act.	No	No - But relates to manner in which one or more agency deliverables is provided	
427	§ 37-21-20	State	Statute	Provides definitions for the South Carolina Telephone Privacy Protection Act.	No	No - But relates to manner in which one or more agency deliverables is provided	
428	§ 37-21-30	State	Statute	Establishes time restrictions on telephone solicitation for the South Carolina Telephone Privacy Protection Act.	No	No - But relates to manner in which one or more agency deliverables is provided	
429	§ 37-21-40	State	Statute	Authorizes disclosure of certain information at the outset of and during a telephone solicitation for the South Carolina Telephone Privacy Protection Act.	Yes	No - But relates to manner in which one or more agency deliverables is provided	
430	§ 37-21-50	State	Statute	Sets forth accuracy of called identification information required; exceptions for the South Carolina Telephone Privacy Protection Act.	Yes	No - But relates to manner in which one or more agency deliverables is provided	

Agency Name: **Department of Consumer Affairs**
 Agency Code: **0220** Section: **080**

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Cited	Does this law specify agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	What type of service or product?	Other service or product our agency must/may provide	Issue orders and otherwise enforce chapter.
431	§ 37-21-60	State	Statute	Institutes prerecorded identifications and opt-out messages for the South Carolina Telephone Privacy Protection Act.	No	No - But relates to manner in which one or more agency deliverables is provided			
432	§ 37-21-70	State	Statute	Establishes unwanted telephone solicitations; Do Not Call Registry; affirmative defense for the South Carolina Telephone Privacy Protection Act.	Yes	No - But relates to manner in which one or more agency deliverables is provided			
433	§ 37-21-80	State	Statute	Sets forth remedies; injunctions for the South Carolina Telephone Privacy Protection Act.	No	No - But relates to manner in which one or more agency deliverables is provided			
434	§ 37-21-90	State	Statute	Authorizes department to issue administrative orders; Attorney General Investigations; civil penalties for the South Carolina Telephone Privacy Protection Act.	Yes	No - But relates to manner in which one or more agency deliverables is provided			
435	§ 37-21-100	State	Statute	Sets forth construction for the South Carolina Telephone Privacy Protection Act.	No	No - But relates to manner in which one or more agency deliverables is provided			
436	§ 37-22-110	State	Statute	Provides definitions for Mortgage Lending Act	No	No - But relates to manner in which one or more agency deliverables is provided			
437	§ 37-22-120	State	Statute	Provides licensing requirements for consumer mortgage lending.	Yes	No - But relates to manner in which one or more agency deliverables is provided			
438	§ 37-22-130	State	Statute	Authorizes contested case proceedings; appeals for consumer mortgage lending.	Yes	No - But relates to manner in which one or more agency deliverables is provided			
439	§ 37-22-140	State	Statute	Institutes application for licensure; information required; identification or managing principal; filing fees; surety bond; issuance of license for consumer mortgage lending.	Yes	No - But relates to manner in which one or more agency deliverables is provided			
440	§ 37-22-150	State	Statute	Establishes expiration and renewal of licenses; fingerprint check; assignment or transfer of license for consumer mortgage lending.	Yes	No - But relates to manner in which one or more agency deliverables is provided			
441	§ 37-22-160	State	Statute	Authorizes continuing professional education for consumer mortgage lending.	No	No - But relates to manner in which one or more agency deliverables is provided			
442	§ 37-22-170	State	Statute	Establishes managing principal; branch offices; notification of commissioner of designation and change of managing principal or branch manager for consumer mortgage lending.	No	No - But relates to manner in which one or more agency deliverables is provided			
443	§ 37-22-180	State	Statute	Authorizes notice of change of address; display of license for consumer mortgage lending.	No	No - But relates to manner in which one or more agency deliverables is provided			
444	§ 37-22-190	State	Statute	Institutes prohibited activities; violation of state or federal law for consumer mortgage lending.	No	No - But relates to manner in which one or more agency deliverables is provided			

Legal Standards Template

Legal Standards Templates

Agency Name: Department of Consumer Affairs
Agency Code: R340 Section: 080

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	If yes, describe of service or product*	If other service or product, please specify what service or product
445	§ 37-22-200	State	Statute	Establishes powers of commissioner relating to denial, suspension, revocation or refusal to renew license; surrender; investigations and subpoena of documents for consumer mortgage lending.	No	No - But relates to manner in which one or more agency deliverables is provided		
446	§ 37-22-210	State	Statute	Sets forth commissioner's records, segregated escrow funds; licensee ceasing business activities for consumer mortgage lending.	No	No - But relates to manner in which one or more agency deliverables is provided		
447	§ 37-22-220	State	Statute	Authorizes maintenance of records by licensee; annual mortgage reports for consumer mortgage lending.	Yes	Yes	Other service or product our agency must/may provide	Receive information from BOFI; compile and release annual mortgage log report.
448	§ 37-22-230	State	Statute	Institutes violation and penalties for consumer mortgage lending.	No	No - But relates to manner in which one or more agency deliverables is provided		
449	§ 37-22-240	State	Statute	Sets forth criminal background checks for consumer mortgage lending.	No	No - But relates to manner in which one or more agency deliverables is provided		
450	§ 37-22-250	State	Statute	Establishes funds payable to commissioner for consumer mortgage lending.	No	No - But relates to manner in which one or more agency deliverables is provided		
451	§ 37-22-260	State	Statute	Authorizes promulgation of regulations for consumer mortgage lending.	No	No - But relates to manner in which one or more agency deliverables is provided		
452	§ 37-22-270	State	Statute	Institutes participation in Nationwide Mortgage Licensing System and Registry.	No	No - But relates to manner in which one or more agency deliverables is provided		
453	§ 37-23-10	State	Statute	Establishes chapter title- South Carolina High Cost and Consumer Home Loans Act.	No	No - But relates to manner in which one or more agency deliverables is provided		
454	§ 37-23-20	State	Statute	Provides definitions for consumer general provisions.	No	No - But relates to manner in which one or more agency deliverables is provided		
455	§ 37-23-30	State	Statute	Authorizes high-cost home loan agreements for consumer general provisions.	No	No - But relates to manner in which one or more agency deliverables is provided		
456	§ 37-23-40	State	Statute	Institutes lender limitations for consumer general provisions.	Yes	Yes	Other service or product our agency must/may provide	Create and make available a high-cost home loan checklist.
457	§ 37-23-45	State	Statute	Sets forth disclosure; form for consumer general provisions.	Yes	Yes	Other service or product our agency must/may provide	Ability to enforce chapter.
458	§ 37-23-50	State	Statute	Establishes borrower's right in action for violations; penalties; statute of limitations; enforcement; costs; application of article for consumer general provisions.	Yes	Yes	Other service or product our agency must/may provide	
459	§ 37-23-60	State	Statute	Authorizes bona fide error; restitution for consumer general provisions.	No	No - But relates to manner in which one or more agency deliverables is provided		

Agency Name: Department of Consumer Affairs
Agency Code: 0230 Section: 000

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	If Yes, what type of service or product?	Other service or product our agency must/may provide	Ability to enforce chapter.
460	§ 37-23-70	State	Statute	Establishes prohibited acts; complaints; penalties; statute of limitations; enforcement; costs for consumer general provisions.	Yes	Yes		Other service or product our agency must/may provide	Ability to enforce chapter.
461	§ 37-23-75	State	Statute	Institutes disclosure; form for consumer general provisions.	Yes	Yes		Other service or product our agency must/may provide	Create and make available a home loan checklist.
462	§ 37-23-80	State	Statute	Sets forth prepayment for consumer general provisions.	No	No	No - But relates to manner in which one or more agency deliverables is provided		
463	§ 37-23-85	State	Statute	Establishes compliance failure for consumer general provisions.	No	No	No - But relates to manner in which one or more agency deliverables is provided		
464	§ 37-25-10	State	Statute	Establishes definitions for chapter on Dispensing of an Ophthalmic Contact Lens or Lenses.	No	No	No - But relates to manner in which one or more agency deliverables is provided		
465	§ 37-25-20	State	Statute	Authorizes prescription required for consumer contact lenses.	No	No	No - But relates to manner in which one or more agency deliverables is provided		
466	§ 37-25-30	State	Statute	Establishes prescription; contents for consumer contact lenses.	No	No	No - But relates to manner in which one or more agency deliverables is provided		
467	§ 37-25-40	State	Statute	Institutes prescription; time valid for consumer contact lenses.	No	No	No - But relates to manner in which one or more agency deliverables is provided		
468	§ 37-25-50	State	Statute	Provides contact lens fitting; when complete and prescription written for consumer contact lenses.	No	No	No - But relates to manner in which one or more agency deliverables is provided		
469	§ 37-25-60	State	Statute	Establishes release of prescription for consumer contact lenses.	No	No	No - But relates to manner in which one or more agency deliverables is provided		
470	§ 37-25-70	State	Statute	Authorizes penalties; contested case hearing; order for enforcement for consumer contact lenses.	Yes	Yes		Other service or product our agency must/may provide	Enforce chapter.
471	§ 37-25-80	State	Statute	Establishes immunity from liability.	No	No	No - But relates to manner in which one or more agency deliverables is provided		
472	§ 37-30-100	State	Statute	Provides purposes for chapter regulating the offering and sale of guaranteed asset protection waiver.	Yes	Yes		Other service or product our agency must/may provide	Enforce chapter.
473	§ 37-30-110	State	Statute	Provides definitions for consumer guaranteed asset protection.	No	No	No - But relates to manner in which one or more agency deliverables is provided		
474	§ 37-30-120	State	Statute	Authorizes offering and sale of GAP waivers in state for consumer guaranteed asset protection.	No	No	No - But relates to manner in which one or more agency deliverables is provided		

Legal Standards Templates

Agency Name:	Department of Consumer Affairs
Agency Code:	R280 Section: 080

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify a agency must or may serve?	Does the law specify a product or service your agency must or may provide?	If "yes," what types of service or product?	If "other service or product," please specify what service or product?
475	§ 37-30-130	State	Statute	Institutes insurance policy insuring a GAP waiver for consumer guaranteed asset protection.	No	No - But relates to manner in which one or more agency deliverables is provided		
476	§ 37-30-140	State	Statute	Establishes GAP waiver disclosures for consumer guaranteed asset protection.	No	No - But relates to manner in which one or more agency deliverables is provided		
477	§ 37-30-150	State	Statute	Sets forth cancellation of GAP waiver for consumer guaranteed asset protection.	No	No - But relates to manner in which one or more agency deliverables is provided		
478	§ 37-30-160	State	Statute	Authorizes enforcement of consumer guaranteed asset protection.	Yes	Yes	Other service or product our agency must/may provide	Enforce chapter.
479	§ 37-30-175	State	Statute	Establishes civil actions for consumer guaranteed asset protection.	No	No - But relates to manner in which one or more agency deliverables is provided		
480	§ 27-30-110	State	Statute	Provides name for chapter- South Carolina Homeowners Association Act.	No	No - But relates to manner in which one or more agency deliverables is provided		
481	§ 27-30-310	State	Statute	Provides name for Act- DCA Services for Homeowners and Homeowners Association Act.	Yes	Yes		
482	§ 27-30-320	State	Statute	Provides definitions for chapter on Homeowners Associations.	No	No - But relates to manner in which one or more agency deliverables is provided		
483	§ 27-30-330	State	Statute	Establishes that the information department is authorized to included on publicly available website for consumer Homeowners Associations.	Yes	Yes	Other service or product our agency must/may provide	Provide information on filing complaints with DCA; education.
484	§ 27-30-340	State	Statute	Sets forth content for complaints from homeowners or homeowners associations for consumers and reporting.	Yes	Yes	Other service or product our agency must/may provide	Take complaints; report annually on specific data points.
485	§ 32-7-10	State	Statute	Establishes definitions for chapter on regulation of Preneed Funeral Contracts.	No	No - But relates to manner in which one or more agency deliverables is provided		
486	§ 32-7-20	State	Statute	Institutes preneed funeral contracts; management of funds; contents of contract; substitutions for merchandise selected for consumer preneed funeral contracts.	Yes	Yes	Other service or product our agency must/may provide	Approve preneed contract forms.
487	§ 32-7-25	State	Statute	Authorizes irrevocable contracts for consumer preneed funeral contracts.	No	No - But relates to manner in which one or more agency deliverables is provided		
488	§ 32-7-30	State	Statute	Provides refunds upon written demand for consumer preneed funeral contracts.	No	No - But relates to manner in which one or more agency deliverables is provided		
489	§ 32-7-35	State	Statute	Authorizes transfer of preneed funeral contracts for consumers.	No	No - But relates to manner in which one or more agency deliverables is provided		

Legal Standards Template

Agency Name: **Department of Consumer Affairs**
 Agency Code: **RZ/RO** Section: **080**

Item #	Law Number	Jurisdiction	Type of Law	Statute	Does this law specify which your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	What type of service or product?	Other service or product our agency must/may provide	Assist with preneed contract transfers.
489	§ 32-7-40	State	Statute	Sets forth deposit of trust funds for consumer preneed funeral contracts.	No	No - But relates to manner in which one or more agency deliverables is provided		Other service or product our agency must/may provide	Assist with preneed contract transfers.
490	§ 32-7-45	State	Statute	Institutes transfer of contracts where provider goes out of business; department authorized to accomplish transfer for consumer preneed funeral contracts.	Yes	Yes		Other service or product our agency must/may provide	Receive and process license applications; engage in examination and investigations; receive and maintain preneed contract copies.
491	§ 32-7-50	State	Statute	Establishes license required; application, issuance, and revocation; service charges and listing of contracts sold to be forwarded to department; penalty for consumer preneed funeral contracts.	Yes	Yes		Other service or product our agency must/may provide	Administer Preneed Loss Reimbursement Fund; establish procedures and regulations.
492	§ 32-7-60	State	Statute	Authorizes Preneed Funeral Loss Reimbursement Fund established; disposition of funds; reimbursement procedures; advertising restrictions in sales of preneed contracts for consumer preneed funeral contracts.	Yes	Yes		Other service or product our agency must/may provide	Examine books of licensees bi-annually.
493	§ 32-7-70	State	Statute	Sets forth accounts and records; investigations for consumer preneed funeral contracts.	Yes	Yes		Other service or product our agency must/may provide	Promulgate regulations.
494	§ 32-7-90	State	Statute	Institutes soliciting and advertising for consumer preneed funeral contracts.	Yes	Yes		Other service or product our agency must/may provide	Enforce chapter against licensees.
495	§ 32-7-95	State	Statute	Establishes advertising and soliciting prohibitions as to preneed funeral contracts apply to funeral director licensed as agent and life insurer for consumer preneed funeral contracts.	No	No - But relates to manner in which one or more agency deliverables is provided		Other service or product our agency must/may provide	Enforce chapter against unlicensed individuals; report violations to Board of Funeral Service and other appropriate law enforcement.
496	§ 32-7-100	State	Statute	Authorizes penalties; revocation of license; request for contested case hearing for consumer preneed funeral contracts.	Yes	Yes		Other service or product our agency must/may provide	
497	§ 32-7-110	State	Statute	Institutes enforcement; investigation of unlicensed providers for consumer preneed funeral contracts.	Yes	Yes		Other service or product our agency must/may provide	
498	§ 32-7-120	State	Statute	Provides application of consumer preneed funeral contracts.	No	No - But relates to manner in which one or more agency deliverables is provided		Other service or product our agency must/may provide	
499	§ 32-7-130	State	Statute	Establishes sale at need of granite, memorials, or vaults by licensed funeral director for consumer preneed funeral contracts.	No	No - But relates to manner in which one or more agency deliverables is provided		Other service or product our agency must/may provide	
500	§ 34-36-10	State	Statute	Establishes definitions for chapter on limitations on Loan Brokers.	No	No - But relates to manner in which one or more agency deliverables is provided		Other service or product our agency must/may provide	
501	§ 34-36-20	State	Statute	Establishes prohibited behavior; advance fee from a borrower to provide services as a loan broker for consumer loan brokers.	No	No - But relates to manner in which one or more agency deliverables is provided		Other service or product our agency must/may provide	
502	§ 34-36-30	State	Statute	Authorizes principal responsible for acts of brokers and brokers' agents or employees for consumer loan brokers.	No	No - But relates to manner in which one or more agency deliverables is provided		Other service or product our agency must/may provide	
503	§ 34-36-40	State	Statute	Institutes department oversight; orders and acts to effect compliance for consumer loan brokers.	Yes	Yes		Other service or product our agency must/may provide	Investigate; request administrative hearings; otherwise enforce chapter.

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify a agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	If yes, what type of service or product?	Other service or product our agency must/may provide	Engage in investigations and examinations; cooperate with other state and federal agencies; bring civil actions; make application to seize property; seek restitution.
504	\$ 34-36-50	State	Statute	Authorizes investigations and examinations to determine violations; obtaining evidence; witnesses and subpoenas; confidentiality; injunctions and other means of enforcement; cooperation with other enforcement agencies for consumer loan brokers.	Yes	Yes	Other service or product our agency must/may provide	Engage in investigations and examinations; cooperate with other state and federal agencies; bring civil actions; make application to seize property; seek restitution.	
505	\$ 34-36-60	State	Statute	Establishes actions to enjoin violations; imposing of property; appointment of receiver or administrator; order of restitution for consumer loan brokers.	Yes	Yes	Other service or product our agency must/may provide	Engage in investigations and examinations; cooperate with other state and federal agencies; bring civil actions; make application to seize property; seek restitution.	
506	\$ 34-36-70	State	Statute	Sets forth violations and penalties for consumer loan brokers.	No	No	Other service or product our agency must/may provide	Engage in investigations and examinations; cooperate with other state and federal agencies; bring civil actions; make application to seize property; seek restitution.	
507	\$ 34-36-80	State	Statute	Authorizes violation constitutes unfair trade practice; actions for damages; remedies additional to those otherwise provided for consumer loan brokers.	No	No	Other service or product our agency must/may provide	Engage in investigations and examinations; cooperate with other state and federal agencies; bring civil actions; make application to seize property; seek restitution.	
508	\$ 34-36-90	State	Statute	Establishes department responsible for administration and enforcement of chapter, authority to promulgate regulations for consumer loan brokers.	No	No	Other service or product our agency must/may provide	Engage in investigations and examinations; cooperate with other state and federal agencies; bring civil actions; make application to seize property; seek restitution.	
510	\$ 38-73-230	State	Statute	Authorizes declaration of competitive line; factors considered; hearing before Administrative Law Court for consumer insurance.	No	No	Other service or product our agency must/may provide	Engage in investigations and examinations; cooperate with other state and federal agencies; bring civil actions; make application to seize property; seek restitution.	
511	\$ 38-73-240	State	Statute	Establishes rate filing where line declared competitive; Consumer Advocate review of certain filings for consumer insurance.	Yes	Yes	Other service or product our agency must/may provide	Engage in investigations and examinations; cooperate with other state and federal agencies; bring civil actions; make application to seize property; seek restitution.	
512	\$ 38-73-250	State	Statute	Institutes rate filings where lines declared noncompetitive for consumer insurance.	No	No	Other service or product our agency must/may provide	Engage in investigations and examinations; cooperate with other state and federal agencies; bring civil actions; make application to seize property; seek restitution.	
513	\$ 38-73-260	State	Statute	Authorizes approval process for rate level changes; Consumer Advocate review of certain filings for consumer insurance.	Yes	Yes	Other service or product our agency must/may provide	Engage in investigations and examinations; cooperate with other state and federal agencies; bring civil actions; make application to seize property; seek restitution.	
514	38-73-490	State	Statute	Provides for Consumer Advocate review of workers compensation insurance rate filings.	No	No	Other service or product our agency must/may provide	Engage in investigations and examinations; cooperate with other state and federal agencies; bring civil actions; make application to seize property; seek restitution.	
515	\$ 38-73-495	State	Statute	Establishes authority to disapprove previously approved rate for classification of worker's compensation insurance; reassignment of classifications; time for filing appeal for consumer insurance.	No	No	Other service or product our agency must/may provide	Engage in investigations and examinations; cooperate with other state and federal agencies; bring civil actions; make application to seize property; seek restitution.	
516	\$ 38-73-500	State	Statute	Authorizes merit rating for workers; compensation insurance; credit; testing for consumer insurance.	No	No	Other service or product our agency must/may provide	Engage in investigations and examinations; cooperate with other state and federal agencies; bring civil actions; make application to seize property; seek restitution.	
517	\$ 38-73-505	State	Statute	Institutes reductions in premiums for consumer insurance.	No	No	Other service or product our agency must/may provide	Engage in investigations and examinations; cooperate with other state and federal agencies; bring civil actions; make application to seize property; seek restitution.	
518	\$ 38-73-510	State	Statute	Establishes nonpartisan rating bureau for workers' compensation for consumer insurance.	No	No	Other service or product our agency must/may provide	Engage in investigations and examinations; cooperate with other state and federal agencies; bring civil actions; make application to seize property; seek restitution.	
519	\$ 38-73-515	State	Statute	Provides deductibles for consumer insurance.	No	No	Other service or product our agency must/may provide	Engage in investigations and examinations; cooperate with other state and federal agencies; bring civil actions; make application to seize property; seek restitution.	

If other services or product, please specify what service or product

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	Other service or product our agency must/may provide	Receive certain workers' compensation insurance filings. Review filings and request hearings when appropriate.
520	§ 38-73-520	State	Statute	Establishes rate filings are required for consumer insurance.	No	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	Receive certain workers' compensation insurance filings. Review filings and request hearings when appropriate.
521	§ 38-73-525	State	Statute	Process for filing of multiples for expenses by insurers writing workers' compensation	Yes	Yes	Other service or product our agency must/may provide	Receive certain workers' compensation insurance filings. Review filings and request hearings when appropriate.
522	§ 38-73-910	State	Statute	Permits Consumer Advocate to intervene in insurance proceedings.	No	Yes	Other service or product our agency must/may provide	Receive certain workers' compensation insurance filings. Review filings and request hearings when appropriate.
522	§ 38-73-915	State	Statute	Establishes authority granted director or designee; effect of legislation and court decisions for consumer insurance.	No	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	Receive certain workers' compensation insurance filings. Review filings and request hearings when appropriate.
523	§ 39-61-10	State	Statute	Establishes chapter title- Motor Club Services Act.	No	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	Receive certain workers' compensation insurance filings. Review filings and request hearings when appropriate.
524	§ 39-61-20	State	Statute	Provides definitions for consumer motor club services.	No	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	Receive certain workers' compensation insurance filings. Review filings and request hearings when appropriate.
525	§ 39-61-30	State	Statute	Authorizes deposit of cash, securities, or bonds for consumer motor club services.	Yes	Yes	Other service or product our agency must/may provide	Receive certain workers' compensation insurance filings. Review filings and request hearings when appropriate.
526	§ 39-61-40	State	Statute	Establishes security; required assurances for consumer motor club services.	No	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	Receive certain workers' compensation insurance filings. Review filings and request hearings when appropriate.
527	§ 39-61-50	State	Statute	Sets forth suits by aggrieved members; aggregate liability for consumer motor club services.	No	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	Receive certain workers' compensation insurance filings. Review filings and request hearings when appropriate.
528	§ 39-61-60	State	Statute	Institutes submission and approval of club name for consumer motor club services.	Yes	Yes	Other service or product our agency must/may provide	Receive certain workers' compensation insurance filings. Review filings and request hearings when appropriate.
529	§ 39-61-70	State	Statute	Establishes application for, and issuance of, certificate of authority; fee for consumer motor club services.	Yes	Yes	Other service or product our agency must/may provide	Receive certain workers' compensation insurance filings. Review filings and request hearings when appropriate.
530	§ 39-61-80	State	Statute	Authorizes certificates of authority permanent unless suspended or revoked; renewal requirements for consumer motor club services.	Yes	Yes	Other service or product our agency must/may provide	Receive certain workers' compensation insurance filings. Review filings and request hearings when appropriate.
531	§ 39-61-90	State	Statute	Institutes service of process for consumer motor club services.	Yes	Yes	Other service or product our agency must/may provide	Receive certain workers' compensation insurance filings. Review filings and request hearings when appropriate.
532	§ 39-61-100	State	Statute	Establishes cease and desist orders; revocation or suspension of certificate of authority for consumer motor club services.	Yes	Yes	Other service or product our agency must/may provide	Receive certain workers' compensation insurance filings. Review filings and request hearings when appropriate.
533	§ 39-61-110	State	Statute	Institutes requirements of service contracts for consumer motor club services.	No	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	Receive certain workers' compensation insurance filings. Review filings and request hearings when appropriate.
534	§ 39-61-120	State	Statute	Authorizes registration of club representatives; termination of representative's authority; fee for consumer motor club services.	Yes	Yes	Other service or product our agency must/may provide	Receive certain workers' compensation insurance filings. Review filings and request hearings when appropriate.
535	§ 39-61-130	State	Statute	Establishes sanctions for noncompliance by club representative; contested case hearing for consumer motor club services.	Yes	Yes	Other service or product our agency must/may provide	Receive certain workers' compensation insurance filings. Review filings and request hearings when appropriate.

Other service or product our agency must/may provide

Receive certain workers' compensation insurance filings.
Review filings and request hearings when appropriate.

Other service or product our agency must/may provide

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Other service or product our agency must/may provide

Other service or product our agency must/may provide

Legal Standards Template

Agency Name: Department of Consumer Affairs
 Agency Code: R2280 Section: DB0

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirements and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	Is it, what type of service or product?	Legal Standards Template
536	§ 39-61-140	State	Statute	Institutes restrictions on advertising for consumer motor club services.	No	No - But relates to manner in which one or more agency deliverables is provided		
537	§ 39-61-150	State	Statute	Establishes services subject exclusively to consumer motor club services.	No	No - But relates to manner in which one or more agency deliverables is provided		
538	§ 39-61-160	State	Statute	Sets forth authority of administrator for consumer motor club services.	No	Yes	Other service or product our agency must/may provide	Administer chapter; promulgate regulations.
539	§ 39-61-170	State	Statute	Provides violations and penalties for consumer motor club services.	No	No - But relates to manner in which one or more agency deliverables is provided		
540	§ 39-61-180	State	Statute	Authorizes sale of insurances by club representatives; license requirements for consumer motor club services.	No	No - But relates to manner in which one or more agency deliverables is provided		
541	§ 39-61-190	State	Statute	Establishes incidental services for consumer motor club services.	No	No - But relates to manner in which one or more agency deliverables is provided		
542	§ 39-61-200	State	Statute	Establishes attorney's fees for consumer motor club services.	No	No - But relates to manner in which one or more agency deliverables is provided		
543	§ 40-39-10	State	Statute	Establishes definitions for regulation of Pawnbrokers	No	No - But relates to manner in which one or more agency deliverables is provided		
544	§ 40-39-20	State	Statute	Authorizes Department of Consumer Affairs to regulate pawnbrokers; certificate of authority to operate pawnbroker business; background checks; persons ineligible for certificate of authority for consumer pawnbrokers.	Yes	Yes	Other service or product our agency must/may provide	Regulate pawnbrokers, promulgate regulations, receive and review applications; notify law enforcement; process criminal background checks.
545	§ 40-39-30	State	Statute	Provides certificate of authority required for each business location; penalties; location of retained pledged goods; posting of operation hours for consumer pawnbrokers.	Yes	Yes	Other service or product our agency must/may provide	Enforce chapter via fines, revocation or other action.
546	§ 40-39-40	State	Statute	Establishes unauthorized fees prohibited; violative pawn transaction ramifications for consumer pawnbrokers.	No	No - But relates to manner in which one or more agency deliverables is provided		
547	§ 40-39-50	State	Statute	Sets forth bonding and insurance requirements; notice of potential threats to pawned goods for consumer pawnbrokers.	Yes	Yes	Other service or product our agency must/may provide	Approve financial responsibility.
548	§ 40-39-55	State	Statute	Institutes periodic dollar amount adjustments for consumer pawnbrokers.	No	Yes	Other service or product our agency must/may provide	Publish dollar amount adjustments
549	§ 40-39-60	State	Statute	Establishes actions on bond for consumer pawnbrokers.	No	No - But relates to manner in which one or more agency deliverables is provided		
550	§ 40-39-70	State	Statute	Authorizes recordkeeping; identity verifications; only owners or their agents may pawn or sell for consumer pawnbrokers.	No	No - But relates to manner in which one or more agency deliverables is provided		

Agency Name: **Department of Consumer Affairs**
 Agency Code: **8220** Section: **000**

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirements and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	If YES, what part of service or product?	Other service or product our agency must/may provide	Prescribe pawn transaction ticket.
551	§ 40-39-80	State	Statute	Establishes pawn tickets; content requirements; executions; special circumstances for consumer pawnbrokers.	Yes	Yes	Other service or product our agency must/may provide	Prescribe pawn transaction ticket.	
552	§ 40-39-90	State	Statute	Authorizes recordkeeping; electronic transfers; database for consumer pawnbrokers.	Yes	Yes	Other service or product our agency must/may provide	Examine pawn records; approve electronic recordkeeping systems.	
553	§ 40-39-100	State	Statute	Institutes charges on loans for consumer pawnbrokers.	Yes	Yes	Other service or product our agency must/may provide	Create rate schedule for posting.	
554	§ 40-39-110	State	Statute	Establishes vesting of title to pledged property for consumer pawnbrokers.	No	No	But relates to manner in which one or more agency deliverables is provided		
555	§ 40-39-120	State	Statute	Authorizes certificates of authority renewals; penalties for noncompliance; limited operations after lapses for consumer pawnbrokers.	Yes	Yes	Other service or product our agency must/may provide	Revoke certificates; promulgate regulations; assess late filings; require new filings.	
556	§ 40-39-130	State	Statute	Authorizes pawnbrokers to comply with federal law; enforcement powers of administrator for consumer pawnbrokers.	No	Yes	Other service or product our agency must/may provide	Enforce Truth in Lending Act.	
557	§ 40-39-140	State	Statute	Establishes third-party ownership of pledge and sold property; returns; pawnbroker remedies and liability exemption for consumer pawnbrokers.	No	No	But relates to manner in which one or more agency deliverables is provided		
558	§ 40-39-145	State	Statute	Institutes hold orders for consumer pawnbrokers.	No	No	But relates to manner in which one or more agency deliverables is provided		
559	§ 40-39-150	State	Statute	Authorizes administrative orders; penalties for consumer pawnbrokers.	Yes	Yes	Other service or product our agency must/may provide	Issue administrative orders; assess penalties.	
560	§ 40-39-155	State	Statute	Establishes contested case hearings for consumer pawnbrokers.	No	No	But relates to manner in which one or more agency deliverables is provided		
561	§ 40-39-160	State	Statute	Authorizes violations of Sections 40-39-80, 40-39-90, 40-39-100, 40-39-110, and 40-39-130; pledgor's cause of action against pawnbroker for consumer pawnbrokers.	No	No	But relates to manner in which one or more agency deliverables is provided		
562	§ 40-58-10	State	Statute	Establishes regulation of Mortgage Brokers.	No	No	But relates to manner in which one or more agency deliverables is provided		
563	§ 40-58-20	State	Statute	Provides definitions for consumer mortgage brokers.	Yes	Yes	Other service or product our agency must/may provide	Issue licenses; receive notices of termination.	
564	§ 40-58-30	State	Statute	Establishes mortgage brokers and loan originators to be licensed; exceptions for consumer mortgage brokers.	Yes	Yes	Other service or product our agency must/may provide	Provide bond format; accept bonds.	
565	§ 40-58-40	State	Statute	Authorizes surety bonds; determination of amount; uses for consumer mortgage brokers.	Yes	Yes	Other service or product our agency must/may provide	Create application form; receive funds; process criminal background checks; establish certain experience requirements; receive notices.	
566	§ 40-58-50	State	Statute	Institutes application for licensure; applicant work experience and education requirements; exceptions; license required for qualified loan originator for consumer mortgage brokers.	Yes	Yes	Other service or product our agency must/may provide		
567	§ 40-58-55	State	Statute	Reserved	No	No	Does not relate directly to any agency deliverables		

Agency Name: Department of Consumer Affairs
Agency Code: R280 Section: 060

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify a law specify a agency must or may provide?		Does the law specify a product or service your agency must or may provide?	If 'Yes', what type of service or product must/may provide	Other service or product our agency must/may provide	If other service or product, please specify what service or product
					Yes	No				
568	\$ 40-58-60	State	Statute	Authorizes issuance of license; contents and posting; issuance as indication of approval of contracts by State or state agency; correction of errors; advertising for consumer mortgage brokers.	Yes	Yes	Other service or product our agency must/may provide	Other service or product our agency must/may provide	Make licensing decision; receive updates.	
569	\$ 40-58-65	State	Statute	Establishes maintenance, availability, and examination of records; mortgage loan logs; official place of business; notice to close branch office or to cease business in State for consumer mortgage brokers.	Yes	Yes	Other service or product our agency must/may provide	Other service or product our agency must/may provide	Examine books and records; receive data and annual reports; receive certain notices; share information with other law enforcement agencies. Receive reports of continuing education; inspect related records.	
570	\$ 40-58-67	State	Statute	Sets forth continuing professional education requirements for consumer mortgage brokers.	Yes	Yes	Other service or product our agency must/may provide	Other service or product our agency must/may provide	Examine books and records; receive data and annual reports; receive certain notices; share information with other law enforcement agencies. Receive reports of continuing education; inspect related records.	
571	\$ 40-58-70	State	Statute	Establishes prohibited activities for consumer mortgage brokers.	No	No	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	Other service or product our agency must/may provide	Examine books and records; receive data and annual reports; receive certain notices; share information with other law enforcement agencies. Receive reports of continuing education; inspect related records.
572	\$ 40-58-75	State	Statute	Institutes mortgage broker fee agreements disclosing charges for consumer mortgage brokers.	No	No	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	Other service or product our agency must/may provide	Examine books and records; receive data and annual reports; receive certain notices; share information with other law enforcement agencies. Receive reports of continuing education; inspect related records.
573	\$ 40-58-78	State	Statute	Authorizes mortgage broker fee agreement requirements; penalty for violations; unintentional violations for consumer mortgage brokers.	No	No	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	Other service or product our agency must/may provide	Examine books and records; receive data and annual reports; receive certain notices; share information with other law enforcement agencies. Receive reports of continuing education; inspect related records.
574	\$ 40-58-80	State	Statute	Establishes denial, suspension, revocation, or nonrenewal of license; grounds; administrative penalty; cease and desist orders; investigation or examination of loans; notification of national registry for consumer mortgage brokers.	Yes	Yes	Other service or product our agency must/may provide	Other service or product our agency must/may provide	Other service or product our agency must/may provide	Suspend, revoke or refuse to license; investigate violations; issue orders; assess penalties and otherwise enforce the chapter. File with ALC.
575	\$ 40-58-90	State	Statute	Authorizes request for contested case hearing before Administrative Law Court for consumer mortgage brokers.	Yes	Yes	Other service or product our agency must/may provide	Other service or product our agency must/may provide	Other service or product our agency must/may provide	Promulgate regulations.
576	\$ 40-58-100	State	Statute	Establishes authority to promulgate regulations for consumer mortgage brokers.	No	No	Other service or product our agency must/may provide	Other service or product our agency must/may provide	Other service or product our agency must/may provide	Accept renewal applications; set format and time period; receive licensing fees. Examine records; receive annual reports.
577	\$ 40-58-110	State	Statute	Institutes license application and renewal fees; term of license; late renewals for consumer mortgage brokers.	Yes	Yes	Other service or product our agency must/may provide	Other service or product our agency must/may provide	Other service or product our agency must/may provide	Utilize NIMS.
578	\$ 40-58-120	State	Statute	Authorizes maintenance of records; composite annual report; confidentiality for consumer mortgage brokers.	Yes	Yes	Other service or product our agency must/may provide	Other service or product our agency must/may provide	Other service or product our agency must/may provide	Utilize NIMS.
579	\$ 40-58-130	State	Statute	Establishes participation in Nationwide Mortgage Licensing System Registry for consumer mortgage brokers.	Yes	Yes	Other service or product our agency must/may provide	Other service or product our agency must/may provide	Other service or product our agency must/may provide	Utilize NIMS.
580	\$ 40-58-10	State	Statute	Establishes definitions for regulation of Professional Employer Organizations.	No	No	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	Other service or product our agency must/may provide	Promulgate regulations.
581	\$ 40-58-20	State	Statute	Authorizes department to adopt regulations; Administrative Procedures Act to govern; licensee governed by chapter and regulations for consumer professional employer organizations.	Yes	Yes	Other service or product our agency must/may provide	Other service or product our agency must/may provide	Other service or product our agency must/may provide	Promulgate regulations.
582	\$ 40-58-30	State	Statute	Sets forth license required; application and fee; information required as to each member of group; ineligibility for license for year after denial or revocation of license; exceptions for consumer professional employer organizations.	Yes	Yes	Other service or product our agency must/may provide	Other service or product our agency must/may provide	Other service or product our agency must/may provide	Issue licenses; receive certain information.

Agency Name: Department of Consumer Affairs
Agency Code: R220 Section: 060

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	If yes, what type of service or product must/may provide	If item serves a product, please specify what service or product:
583	§ 40-68-40	State	Statute	Establishes qualification to serve as controlling person; background investigation; fingerprinting; effect of conviction of crime; designating agent for service of process; minimum net worth requirement for consumer professional employer organizations. Sets forth continuing professional education for consumer professional employer organizations.	Yes	Yes	Other service or product our agency must/may provide	Conduct background investigations; deny applications.
584	§ 40-68-45	State	Statute	Authorizes license fees' biennial assessment fee; submission of financial data to ensure compliance for consumer professional employer organizations.	Yes	Yes	Other service or product our agency must/may provide	Receive continuing education reports; offer continuing education.
585	§ 40-68-50	State	Statute	Institutes acceptance of affidavit or certification of approval for consumer professional employer organizations.	Yes	Yes	Other service or product our agency must/may provide	Collect fees and assessments; set renewal timeframes.
586	§ 40-68-55	State	Statute	Provides terms of agreement to be established in writing; notice to assigned employees; posting of notice by client company; notice or knowledge of injury for consumer professional employer organizations.	Yes	Yes	Other service or product our agency must/may provide	Promulgate regulations.
587	§ 40-68-60	State	Statute	Establishes requirements of contract between licensee and client company; investigation of client company's work force; securing workers' compensation insurance coverage; licensee considered employer of assigned employees for consumer professional employer organizations.	No	No	Other service or product our agency must/may provide	Receive notices of changed names; promulgate regulation related thereto; receive event notices.
588	§ 40-68-70	State	Statute	Sets forth responsibilities of client company with respect to workers' compensation insurance; penalties and liabilities for violation for consumer professional employer organizations.	No	No	Other service or product our agency must/may provide	
589	§ 40-68-75	State	Statute	Institutes licensing of multiple companies owned by same entity as professional employer organization group; joint liability for consumer professional employer organizations.	No	No	Other service or product our agency must/may provide	
590	§ 40-68-80	State	Statute	Establishes nonresident company or group; restricted license; appointment of entity for receipt of legal process for consumer professional employer organizations.	Yes	Yes	Other service or product our agency must/may provide	Issue restricted licenses; approve application form.
591	§ 40-68-90	State	Statute	Authorizes duty to issue license to qualified applicants; issuance within prescribed time; time license is valid; renewal for consumer professional employer organizations.	Yes	Yes	Other service or product our agency must/may provide	Issue and renew licenses.
592	§ 40-68-100	State	Statute	Institutes disclosure by licensee of information as to insurance or benefit plans for benefits of assigned employees; other reports may be required by regulation for consumer professional employer organizations.	Yes	Yes	Other service or product our agency must/may provide	Receive certain reports/updates.
593	§ 40-68-110	State	Statute	Establishes licensee's obtaining of workers' compensation coverage; licensee-sponsored and client-sponsored benefit plans for assigned employees; unemployment taxes; notification of start and end of relationship with client company for consumer professional employer organizations.	Yes	Yes	Other service or product our agency must/may provide	Receive notices.
594	§ 40-68-120	State	Statute	Sets forth form and content of licenses and notices; display for consumer professional employer organizations.	No	No	Other service or product our agency must/may provide	
595	§ 40-68-130	State	Statute	Authorizes name under which business may be conducted; change of name or location of primary office or records; addition of business offices; license not assignable for consumer professional employer organizations.	Yes	Yes	Other service or product our agency must/may provide	
596	§ 40-68-140	State	Statute		Yes	Yes	Other service or product our agency must/may provide	

Legal Standards Template

Agency Name: **Department of Consumer Affairs**
 Agency Code: **0220** Section: **060**

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may provide? (Y/N)	Does the law specify a product or service your agency must or may provide?	If so, what type of service or product?
597	§ 40-68-150	State	Statute	Establishes prohibited acts; operation without license; wrongful use of title or representation of being licensed; use of forged or false information to obtain license or in disciplinary proceeding; use of expired or revoked license; penalties for consumer professional employer organizations.	No	No - But relates to manner in which one or more agency deliverables is provided	
598	§ 40-68-155	State	Statute	Institutes investigation of complaints for consumer professional employer organizations.	Yes	Yes	Forward insurance complaints to Dept. of Insurance.
599	§ 40-68-160	State	Statute	Authorizes disciplinary action; grounds; sanctions; notice, hearing, and appeal; reinstatement for consumer professional employer organizations.	Yes	Yes	Take disciplinary action; issue orders; enforce chapter.
600	§ 40-68-165	State	Statute	Institutes enforcement by Attorney General for consumer professional employer organizations.	No	No - But relates to manner in which one or more agency deliverables is provided	
601	§ 40-68-170	State	Statute	Sets forth fees to be used to implement provisions of consumer professional employer organizations.	No	Yes	Retain fees.
602	§ 40-68-180	State	Statute	Establishes other applicable license requirements; licensed, registered, or certified employee considered employee of client company or of licensee; Employment Security Law unaffiliated for consumer professional employer organizations.	No	No - But relates to manner in which one or more agency deliverables is provided	
603	§ 44-79-10	State	Statute	Establishes chapter name- Physical Fitness Services Act.	No	No - But relates to manner in which one or more agency deliverables is provided	
604	§ 44-79-20	State	Statute	Provides definitions for consumer physical fitness services.	No	No - But relates to manner in which one or more agency deliverables is provided	
605	§ 44-79-30	State	Statute	Institutes credit contract requirements for consumer physical fitness services.	No	No - But relates to manner in which one or more agency deliverables is provided	
606	§ 44-79-40	State	Statute	Sets forth prohibited contractual provisions for consumer physical fitness services.	Yes	Yes	Approve certain contracts.
607	§ 44-79-50	State	Statute	Institutes unenforceability of prohibited contractual provisions for consumer physical fitness services.	No	No - But relates to manner in which one or more agency deliverables is provided	
608	§ 44-79-60	State	Statute	Authorizes permissible contractual provisions for consumer physical fitness services.	No	No - But relates to manner in which one or more agency deliverables is provided	
609	§ 44-79-70	State	Statute	Establishes rights against successors to contract for consumer physical fitness services.	No	No - But relates to manner in which one or more agency deliverables is provided	
610	§ 44-79-80	State	Statute	Provides financial responsibility requirements; certificates of authority for consumer physical fitness services.	Yes	Yes	Receive bonds; determine bond alternatives; receive change of event reports; set application form; issue licenses; file with ALC.
611	§ 44-79-90	State	Statute	Authorizes promulgation of regulations for consumer physical fitness services.	No	Yes	Promulgate regulations.

Agency Name: Department of Consumer Affairs
Agency Code: R2200 Section: 000

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Cited	Does this law specify a product or service your agency must or may provide? (Y/N)	Does the law specify a product or service your agency must or may provide?	If yes, what type of service or product?	Legal Standards Template
611	§ 44-79-100	State	Statute	Institutes advertising disclosure requirements; providing of other information upon request for consumer physical fitness services.	No	No - But relates to manner in which one or more agency deliverables is provided	Marketing services of fitness services product	
613	§ 44-79-110	State	Statute	Provides exemptions for consumer physical fitness services.	No	No - But relates to manner in which one or more agency deliverables is provided		
614	§ 44-79-120	State	Statute	Establishes violations and penalties for consumer physical fitness services.	No	No - But relates to manner in which one or more agency deliverables is provided		
615	§ 56-28-10	State	Statute	Establishes enforcement of Motor Vehicle Express Warranties.	No	No - But relates to manner in which one or more agency deliverables is provided		
616	§ 56-28-20	State	Statute	Authorizes manufacturers to provide annual written summaries of certain motor vehicles; forms; records to be made available; penalties for consumer motor vehicle express warranties.	Yes	Yes		Receive annual reports; create report form; inspect records; impose penalties.
617	§ 56-28-30	State	Statute	Institutes nonconformity with express warranties; notice required; repairs required for consumer motor vehicle express warranties.	No	No - But relates to manner in which one or more agency deliverables is provided		
618	§ 56-28-40	State	Statute	Establishes replacement of motor vehicle; refund of purchase price for consumer motor vehicle express warranties.	No	No - But relates to manner in which one or more agency deliverables is provided		
619	§ 56-28-50	State	Statute	Sets forth presumption of attempts to conform; information to be provided to consumers; obligations of manufacturer; costs and attorney's fees; notice requirements for consumer motor vehicle express warranties.	No	No - But relates to manner in which one or more agency deliverables is provided		
620	§ 56-28-60	State	Statute	Authorizes informal dispute settlement procedures for consumer motor vehicle express warranties.	No	No - But relates to manner in which one or more agency deliverables is provided		
621	§ 56-28-70	State	Statute	Institutes limitations of actions for consumer motor vehicle express warranties.	No	No - But relates to manner in which one or more agency deliverables is provided		
622	§ 56-28-80	State	Statute	Establishes construction of chapter; reimbursement from dealer prohibited; exception for consumer motor vehicle express warranties.	No	No - But relates to manner in which one or more agency deliverables is provided		
623	§ 56-28-90	State	Statute	Authorizes state arbitration board may be established for consumer motor vehicle express warranties.	Yes	Yes		Promulgate regulation creating arbitration board.
624	§ 56-28-100	State	Statute	Institutes repurchased vehicles not to be resold; exceptions for consumer motor vehicle express warranties.	Yes	Yes		Receive certain notices.
625	§ 56-28-110	State	Statute	Establishes notification to subsequent purchasers; penalties for failure to notify for consumer motor vehicle express warranties.	No	No - But relates to manner in which one or more agency deliverables is provided		

Legal Standards Template

Agency Name: Department of Consumer Affairs
 Agency Code: 02740 Section: 000

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify a agency must or may serve?	Does the law specify a product or service your agency must or may provide?	What type of service or product?	What other services or products, if any, specify what service or product?
626	\$ 59-102-10	State	Statute	Establishes title for chapter- Uniform Athlete Agents Act of 2018.	No	No - But relates to manner in which one or more agency deliverables is provided		
627	\$ 59-102-20	State	Statute	Provides definitions for consumer athlete agents.	No	No - But relates to manner in which one or more agency deliverables is provided		
628	\$ 59-102-30	State	Statute	Sets forth service of process on nonresident agents; subpoenas; use of funds for consumer athlete agents.	Yes	Yes	Other service or product our agency must/may provide	Receive service; issue subpoenas; retain funds.
629	\$ 59-102-40	State	Statute	Authorizes certificate of registration as athlete agent required; exceptions for consumer athlete agents.	No	No - But relates to manner in which one or more agency deliverables is provided		
630	\$ 59-102-50	State	Statute	Institutes application for registration; contents; registration in another state for consumer athlete agents.	Yes	Yes	Other service or product our agency must/may provide	Prescribe application form; cooperate with other state agencies.
631	\$ 59-102-60	State	Statute	Establishes issuance of certificate of registration; grounds for refusal; application for renewal; renewal application submitted in another state for consumer athlete agents.	Yes	Yes	Other service or product our agency must/may provide	Issue certificates; make licensing decision; process renewals.
632	\$ 59-102-70	State	Statute	Authorizes suspension, revocation or refusal to renew certificate of registration for consumer athlete agents.	Yes	Yes	Other service or product our agency must/may provide	Suspend, revoke or refuse to renew licenses.
633	\$ 59-102-80	State	Statute	Provides temporary certificate of registration for consumer athlete agents.	Yes	Yes	Other service or product our agency must/may provide	Issue temporary certificates.
634	\$ 59-102-90	State	Statute	Establishes fees for consumer athlete agents.	No	No - But relates to manner in which one or more agency deliverables is provided		
635	\$ 59-102-100	State	Statute	Sets forth agency contracts for consumer athlete agents.	No	No - But relates to manner in which one or more agency deliverables is provided		
636	\$ 59-102-110	State	Statute	Authorizes notice of contract to athletic director for consumer athlete agents.	Yes	Yes	Other service or product our agency must/may provide	Receive complaints from educational institutions.
637	\$ 59-102-120	State	Statute	Institutes cancellation of agency contract by student for consumer athlete agents.	No	No - But relates to manner in which one or more agency deliverables is provided		
638	\$ 59-102-130	State	Statute	Establishes records to be maintained by athlete agent for consumer athlete agents.	Yes	Yes	Other service or product our agency must/may provide	Inspect records.
639	\$ 59-102-140	State	Statute	Sets forth prohibited acts of athlete agents for consumer athlete agents.	No	No - But relates to manner in which one or more agency deliverables is provided		
640	\$ 59-102-150	State	Statute	Establishes violations and penalties for consumer athlete agents.	No	No - But relates to manner in which one or more agency deliverables is provided		
641	\$ 59-102-160	State	Statute	Authorizes actions for damages; attorney's fees; accrual for consumer athlete agents.	No	No - But relates to manner in which one or more agency deliverables is provided		

Agency Name: **Department of Consumer Affairs**
 Agency Code: **R270** Section: **000**

Item #	Law Number	Jurisdiction	Type of Law	Statute	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	What type of service or product?	What other services or products does your agency provide?
642	§ 59-102-170	State	Statute	Sets forth administrative fee for consumer athlete agents.	No	No - But relates to manner in which one or more agency deliverables is provided		
643	§ 59-102-180	State	Statute	Provides application and construction of act for consumer athlete agents.	No	No - But relates to manner in which one or more agency deliverables is provided		
644	§ 59-102-190	State	Statute	Establishes relation to Electronic Signatures in Global and National Commerce Act for consumer athlete agents.	No	No - But relates to manner in which one or more agency deliverables is provided		

Legal Standards Template

Agency Name: Department of Consumer Affairs
 Agency Code and Section: R280 \$0

Service/Product Provided to Customers	Customer Segments	Specify only for the following segments: (1) Industry Name, (2) Professional Organization Name, (3) Public Demographics	Divisions or Major Programs	Description
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Protection of the marketplace while giving due regard to those businesses acting fairly; representation of the consumer interest before the Legislature and Governor. Partnership opportunities and availability of our expertise to assist in performance of their job functions. Partnership opportunities and availability of our expertise to assist in performance of their job functions. Thorough review of insurance rate filings to ensure the marketplace is fair and balanced. Prompt, efficient service and for the agency to utilize a fair and balanced approach in carrying out its legal functions.	General Public Local Govts. Executive Branch/State Agencies General Public Industry	All South Carolinians	All	Millions of South Carolina consumers and those who visit our state
Sharing knowledge of consumer rights and responsibilities to create savvy consumers.	School Districts		Public Information & Consumer Services & Education	Schools
Sharing knowledge of consumer rights and responsibilities to create savvy consumers.	General Public	All South Carolinians	Public Information & Identity Theft Unit	Community groups
Provide consumer law guidance; act professionally in representing the consumer interest.	General Public	Lawyers litigating matters/ representing consumers related to laws under the Department's jurisdiction	Legal & Administration/Consumer Advocate	The legal community
Provide consumer law guidance; act professionally in representing the consumer interest. Prompt, efficient service; compelling content.	Judicial Branch Industry	Judges litigating or hearing matters related to laws under the Department's jurisdiction Newspapers, television stations, radio broadcasters, etc.	Legal & Administration/Consumer Advocate Public Information	Judges The media
Partnership opportunities to leverage resources in the administration and enforcement of like laws; education partnerships; referral of complaints. Data sharing to track national trends; educational partnership opportunities.	Executive Branch/State Agencies General Public	Consumer Federation of America, AARP, etc.	All	Other state and federal agencies
Constituent services; advise regarding legislation affecting the consumer interest. Constituent services; advise regarding legislation affecting the consumer interest. Professional, prompt constituent services.	Executive Branch/State Agencies Legislative Branch General Public	All South Carolinians	Legal, Public Information & Administration Legal & Administration/Consumer Advocate Legal, Advocacy & Administration/Consumer Advocate Legal, Advocacy & Administration/Consumer Advocate	National consumer groups Governor's Office General Assembly US Congress

Department of Consumer Affairs	
Agency Name:	080
Agency Code and Section:	R280

Budget and Control Board/DOA	Name of Partner Entity	Type of Partner Entity	Description of Partnership	Associated Goal(s)	Partner Template
	State Government	State Government	Provide training for agency accounting, procurement and human resources staff; assist in troubleshooting within these same areas.	1,2,4	
Board of Financial Institutions- Consumer Finance Division	State Government	State Government	Work together to ensure compliance with the Consumer Protection Code and other laws.	1,2,3	
Administrative Law Court	State Government	State Government	Hear contested case hearings arising out of laws administered and enforced by DCA.	1	
Division of Technology Operations	State Government	State Government	Provide network services, desktop support, server management, security services to DCA.	All	
Law Enforcement (state & local)	Local Government	Local Government	Assists in investigation of regulated businesses.	1,3	
SCDMV/DPS	State Government	State Government	Assists in investigation of regulated businesses	1,3	
SC Automobile Dealers Association	Professional Association	Professional Association	Receives reports of violations, disseminates industry specific information, education, legislative collaborations.	1,2,3	
Carolinas Independent Automobile Dealers Association	Professional Association	Professional Association	Receives reports of violations, disseminates industry specific information, education, legislative collaborations.	1,2,3	
SC.GOV	Private Business Organization	Private Business Organization	Maintains DCA's online Complaint Database, agency website.	1,2,3,4	
Department of Insurance	State Government	State Government	Providing notices and full filings of insurance companies.	1,3	
Actuarial Consultants	Non-Governmental Organization	Non-Governmental Organization	Review insurance filings for DCA.	1	
ThoughtSpan	Private Business Organization	Private Business Organization	Licensing database contractor.	1,2,4	
Various industries regulated	Private Business Organization	Private Business Organization	Provide feedback on regulatory structure, joint educational partnerships/ outreach.	1,2,3	
AARP	Non-Governmental Organization	Non-Governmental Organization	Provide joint educational partnerships/ outreach.	1,3	
Other state agencies	State Government	State Government	Provide joint educational partnerships/ outreach; referrals of consumers and businesses to DCA; multi-agency examinations and enforcement.	All	
Print & Media Outlets	Non-Governmental Organization	Non-Governmental Organization	Fulfilling media requests/ disseminating information.	1, 3	
American Conference of Uniform Consumer Credit Code States	Professional Association	Professional Association	Sharing of information amongst state regulators having similar consumer protection laws.	1,2,4	
National Association of Consumer Credit Administrators	Professional Association	Professional Association	State regulator association: provides trainings and information sharing.	1,2,4	
Federal agencies	Federal Government	Federal Government	Provide joint educational partnerships/ outreach; referrals of consumers and businesses; multi-agency examinations and enforcement.	1,3	
Schools	K-12 Education Institute	K-12 Education Institute	Provide joint educational partnerships/ outreach.	3	
SC Courts	State Government	State Government	Provide training for magistrates	1,3	

Agency Name: Agency Code: Section:

Item	Is this a Report, Review, or both?	Report or Review Name	Name of Entity Requesting the Report or Conducting Review	Type of Entity	Reporting Frequency	Current Fiscal Year: Submission Date or Review Period (MM/DD/YYYY - MM/DD/YYYY)	Summary of Information Requested in the Report or Reviewed	Methods to Access the Report or Information from the Review
1	Internal Review and Report	Fees & Fees Report	Legislature	State	Annually	08/13/2018	Transparency in revenue	https://consumers.ca.gov/assets/2008083
2	Internal Review and Report	Mortgage Log Report	Legislature	State	Annually	09/06/2018	Inform the public on mortgage transactions over the past year.	https://consumers.ca.gov/assets/2008083
3	Internal Review and Report	Accountability Report	Legislature	State	Annually	09/17/2018	Inform the public and Legislature on Agency operations over the past year.	https://consumers.ca.gov/assets/2008083
4	Internal Review and Report	CAFR	Comptroller General	State	Annually	End of Fiscal Year	Closing Packages	www.cagr.ca.gov
5	Internal Review and Report	MBE Reports	SMBCC	State	Annually	Throughout FY19	Purchases relating to minority business utilization	Contact SMBCC at 803-734-5010
6	Internal Review and Report	State of Credit Report	Governor & Legislature	State	Quarterly	Throughout FY19	Data related to access to credit in South Carolina and DCA enforcement actions.	https://consumers.ca.gov/assets/2008083
7	External Review and Report	State Auditor's Report	State Auditor	State	Annually	March 13, 2019	Agreed upon procedures audit results for FY18	https://sca.ca.gov/transparent/
8	External Review and Report	Delegation Audit Report	Division of State Human Resources	State	Annually	July 12, 2018	Delegation transactions audit for human resources activity occurring during FY18	Contact DSHR at 803-796-5300
9	Internal Review and Report	FY18 MBE Plan	SMBCC	State	Annually	July 30, 2018	Agency minority business utilization plan estimates for FY18	Contact SMBCC at 803-734-5010
10	Internal Review and Report	Homeowner Association Complainants Report	Legislature	State	Annually	January 31, 2019	Certain data from complaints involving homeowners associations	https://consumers.ca.gov/assets/2008083

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Fiscal Year 2020-21 Budget Request Executive Summary

Agency Code: R280
 Agency Name: Department Of Consumer Affairs
 Section: 80

Priority	Request Type	Request Title	BUDGET REQUESTS				FUNDING				FTES					
			State	Federal	Earmarked	Restricted	Total	State	Federal	Earmarked	Restricted	Total	State	Federal	Earmarked	Restricted
1	BI - Recurring	Advocacy Paralegal and Expert Witness Funding	256,000							256,000	1.00					1.00
2	BI - Recurring	Personal Services			35,000					35,000						0.00
3	BI - Recurring	Operating Expenses			13,000					13,000						0.00
4	BI - Recurring	Other Funds Cost of Living, Retirement, Health and Dental Increases			85,580					85,580						0.00
5										0						0.00
6										0						0.00
7										0						0.00
8										0						0.00
9										0						0.00
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28										0						0.00
29										0						0.00
30										0						0.00
TOTAL BUDGET REQUESTS			256,000	0	133,580	0	0	0	0	389,580	1.00	0.00	0.00	0.00	0.00	1.00

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The State of South Carolina
Department of Consumer Affairs

293 GREYSTONE BOULEVARD, STE 400
 PO BOX 5757
 COLUMBIA, SC 29250-5757

Carri Grube Lybarker
 Administrator/
 Consumer Advocate

Celebrating Over 40 Years of Public Service
 September 19, 2019

Commissioners
 David Campbell
 Chair
 Columbia
 Mark Hammond
 Secretary of State
 Columbia
 William Geddings
 Florence
 James E. Lewis, Jr.
 Myrtle Beach
 Renee I. Madden
 Columbia
 W. Fred Pennington, Jr.
 Simpsonville
 Jack Pressly
 Columbia
 Lawrence D. Sullivan
 Summerville

Via US and Electronic Mail
 Executive Budget Office
 Attn: Keisha Allen
 Edgar A. Brown Building
 1205 Pendleton Street, Suite 529
 Columbia, SC 29201

RE: Fiscal Year 2020-2021 Budget Plan

Dear Ms. Allen:

Please find enclosed the South Carolina Department of Consumer Affairs' (DCA) original Form A-Summary for our Fiscal Year 2020-2021 Budget Plan. The electronic copy was also forwarded along with the Executive Summary, Form B-Recurring Requests, Form D-Proviso Requests, Form E- 3% General Fund Reduction and Form F-Reducing Costs and Burden to Businesses and Consumers.

DCA's three new requests pertain to increasing the agency's other funds authorization to cover employee salary and fringe increases, additional operating expenses, FY20 legislated adjustments to state salaries and insurance and retirement contributions, as well as retirement increases slated for FY21. Our other FY21 requests are to codify provisos, the majority of which have been in effect for over 20 years.

If you have any questions or if further information is required, please feel free to contact me at 803-734-4297.

Best Regards,

Carri Grube Lybarker, Esq.

Enclosure: As stated.

ADMINISTRATOR Tel 803-734-4233 Fax 803-734-4060	PUBLIC INFORMATION Tel 803-734-4296 Fax 803-734-4060	CONSUMER ADVOCACY Tel 803-734-0045 Fax 803-734-4060	ENFORCEMENT/ INVESTIGATORS Tel 803-734-4200 Fax 803-734-4287	CONSUMER COMPLAINTS Tel 803-734-4200 Fax 803-734-4286	ID THEFT UNIT Tel 803-734-4200 Fax 803-734-4229	PROCUREMENT & ACCOUNTING Tel 803-734-4260 Fax 803-734-4100
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WEBSITE: WWW.CONSUMER.SC.GOV
 E-MAIL: SCDCA@SCCONSUMER.GOV

Toll Free in SC: 800-922-1594
 TDD/TTY: 800-735-2905

AGENCY NAME:	Department of Consumer Affairs		
AGENCY CODE:	R28	SECTION:	80



**Fiscal Year 2020-21
Agency Budget Plan**

FORM A - BUDGET PLAN SUMMARY

**OPERATING
REQUESTS
(FORM B1)**

For FY 2020-21, my agency is (mark "X"):	
<input type="checkbox"/>	Requesting General Fund Appropriations.
<input checked="" type="checkbox"/>	Requesting Federal/Other Authorization.
<input type="checkbox"/>	Not requesting any changes.

**NON-RECURRING
REQUESTS
(FORM B2)**

For FY 2020-21, my agency is (mark "X"):	
<input type="checkbox"/>	Requesting Non-Recurring Appropriations.
<input type="checkbox"/>	Requesting Non-Recurring Federal/Other Authorization.
<input checked="" type="checkbox"/>	Not requesting any changes.

**CAPITAL
REQUESTS
(FORM C)**

For FY 2020-21, my agency is (mark "X"):	
<input type="checkbox"/>	Requesting funding for Capital Projects.
<input checked="" type="checkbox"/>	Not requesting any changes.

**PROVISOS
(FORM D)**

For FY 2020-21, my agency is (mark "X"):	
<input type="checkbox"/>	Requesting a new proviso and/or substantive changes to existing provisos.
<input type="checkbox"/>	Only requesting technical proviso changes (such as date references).
<input checked="" type="checkbox"/>	Not requesting any proviso changes.

Please identify your agency's preferred contacts for this year's budget process.

	<i>Name</i>	<i>Phone</i>	<i>Email</i>
PRIMARY CONTACT:	Carri Grube Lybarker	803-734-4297	CLybarker@scconsumer.gov
SECONDARY CONTACT:	Celeste Brown	803-734-4264	CBrown@scconsumer.gov

I have reviewed and approved the enclosed FY 2020-21 Agency Budget Plan, which is complete and accurate to the extent of my knowledge.

	<i>Agency Director</i>	<i>Board or Commission Chair</i>
SIGN/DATE:		
TYPE/PRINT NAME:	Carri Grube Lybarker	David Campbell

This form must be signed by the agency head – not a delegate.

AGENCY NAME:	Department of Consumer Affairs		
AGENCY CODE:	R28	SECTION:	80

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	1
------------------------	----------

Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Advocacy Paralegal and Expert Witness Funding
--------------	--

Provide a brief, descriptive title for this request.

AMOUNT	General: \$256,000 Federal: Other: Total: \$256,000
---------------	--

What is the net change in requested appropriations for FY 2020-21? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	1
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input checked="" type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input checked="" type="checkbox"/>	Public Infrastructure and Economic Development
<input type="checkbox"/>	Government and Citizens	

AGENCY NAME:	Department of Consumer Affairs		
AGENCY CODE:	R28	SECTION:	80

ACCOUNTABILITY OF FUNDS	<p>This increase in funds will allow the Agency to fulfill the goal of effectively administering and enforcing laws assigned to the Department to protect consumers as well as performance measures 1.3.1-1.3.3 related to DCA's advocacy in ratemaking and price-fixing matters. <i>See H4375 (2017-2018 Legislative Session).</i></p> <p>Effectiveness would be evident at year-end through evaluation of Advocacy Division activities and outcomes, including number of rate reviews and success of interventions.</p>
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What specific strategy, as outlined in the FY 2019-20 Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	SCDCA's Advocacy Division; expert witnesses and other professional expertise.
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST	<p>Prior to January 1, 2005, the Department had authority to intervene in matters filed with the Public Service Commission. At one point, the Advocacy Division housed 8 FTEs and had other operating funds upwards of \$240,000. When the ability to intervene in utility rate filings was transferred, the Advocacy Division continued to fulfill the remaining job functions set forth in the Consumer Protection Code, including intervening in insurance rate filing matters and representing consumer interests in state and federal rulemaking processes. Currently, the Division houses 4 FTE positions and has other operating funds of \$60,000.</p> <p>H4375 (2018) reinstated DCA's role in utility interventions. As we began implementation of the new responsibilities, it became apparent additional resources are needed. DCA proposes hiring a Paralegal with a salary of \$40,000, fringe of \$16,000 and additional operating expenses of \$200,000 for payment to expert witnesses and other professional expertise to assist staff in the representation of the consumer interest.</p>
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Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

AGENCY NAME:	Department of Consumer Affairs		
AGENCY CODE:	R28	SECTION:	80

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	1
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Personal Services
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Provide a brief, descriptive title for this request.

AMOUNT	General: Federal: Other: 35,000 Total: 35,000
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What is the net change in requested appropriations for FY 2020-21? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	N/A
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply: <input checked="" type="checkbox"/> Change in cost of providing current services to existing program audience <input type="checkbox"/> Change in case load/enrollment under existing program guidelines <input type="checkbox"/> Non-mandated change in eligibility/enrollment for existing program <input type="checkbox"/> Non-mandated program change in service levels or areas <input type="checkbox"/> Proposed establishment of a new program or initiative <input type="checkbox"/> Loss of federal or other external financial support for existing program <input type="checkbox"/> Exhaustion of fund balances previously used to support program <input type="checkbox"/> IT Technology/Security related <input type="checkbox"/> Consulted DTO during development <input type="checkbox"/> Related to a Non-Recurring request – If so, Priority #
--	--

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective: <input type="checkbox"/> Education, Training, and Human Development <input type="checkbox"/> Healthy and Safe Families <input type="checkbox"/> Maintaining Safety, Integrity, and Security <input type="checkbox"/> Public Infrastructure and Economic Development <input checked="" type="checkbox"/> Government and Citizens
--	---

AGENCY NAME:	Department of Consumer Affairs		
AGENCY CODE:	R28	SECTION:	80

ACCOUNTABILITY OF FUNDS	<p>This increase in funds will allow the Agency to fulfill all goals, strategies, and objectives as set forth in its fiscal year 2019 Accountability Report.</p>
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What specific strategy, as outlined in the FY 2019-20 Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	<p>Department of Consumer Affairs employees whose compensation is supported by other funds and eligible.</p>
----------------------------	--

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST	<p>In FY 19, 12% of DCA staff left for higher paying jobs with other agencies or in the private sector. This is on top of the 15.5% turnover rate experienced in FY18. Providing adequate compensation is an area DCA has struggled with for many years and what we believe is a leading cause in our declining staff retention rate. Strides were made in FY15 and FY17 to catch up to at least the salary parameters deployed by sister agencies; however, some positions are still inadequately funded. Being able to adequately compensate staff for performance of job duties is essential in DCA being able to accomplish its goals and mission.</p>
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Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

AGENCY NAME:	Department of Consumer Affairs		
AGENCY CODE:	R28	SECTION:	80

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	2
------------------------	---

Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Operating Expenses
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Provide a brief, descriptive title for this request.

AMOUNT	General: Federal: Other: \$13,000 Total: \$13,000
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What is the net change in requested appropriations for FY 2020-21? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	N/A
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:
	<input checked="" type="checkbox"/> Change in cost of providing current services to existing program audience
	<input type="checkbox"/> Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/> Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/> Non-mandated program change in service levels or areas
	<input type="checkbox"/> Proposed establishment of a new program or initiative
	<input type="checkbox"/> Loss of federal or other external financial support for existing program
	<input type="checkbox"/> Exhaustion of fund balances previously used to support program
	<input type="checkbox"/> IT Technology/Security related
	<input type="checkbox"/> Consulted DTO during development
<input type="checkbox"/> Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:
	<input type="checkbox"/> Education, Training, and Human Development
	<input type="checkbox"/> Healthy and Safe Families
	<input type="checkbox"/> Maintaining Safety, Integrity, and Security
	<input type="checkbox"/> Public Infrastructure and Economic Development
<input checked="" type="checkbox"/> Government and Citizens	

AGENCY NAME:	Department of Consumer Affairs		
AGENCY CODE:	R28	SECTION:	80

ACCOUNTABILITY OF FUNDS	<p>This increase in funds will allow the Agency to fulfill all goals, strategies, and objectives as set forth in its fiscal year 2019 Accountability Report.</p>
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What specific strategy, as outlined in the FY 2019-20 Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	<p>Department of Consumer Affairs for payment of utilities.</p>
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST	<p>The Department of Consumer Affairs moved during FY 19 into a privately-owned office building. The rent does not include electricity costs. The additional authorization is requested to cover the increase in cost of electricity, which is anticipated to surpass costs previously incurred by approximately \$13,000.</p>
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Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

AGENCY NAME:	Department of Consumer Affairs		
AGENCY CODE:	R28	SECTION:	80

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	3 <i>Provide the Agency Priority Ranking from the Executive Summary.</i>
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TITLE	Other Funds Cost of Living, Retirement, Health and Dental Increases <i>Provide a brief, descriptive title for this request.</i>
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AMOUNT	General: Federal: Other: \$85,580 Total: \$85,580 <i>What is the net change in requested appropriations for FY 2020-21? This amount should correspond to the total for all funding sources on the Executive Summary.</i>
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NEW POSITIONS	N/A <i>Please provide the total number of new positions needed for this request.</i>
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FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:
	<input checked="" type="checkbox"/> Change in cost of providing current services to existing program audience
	<input type="checkbox"/> Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/> Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/> Non-mandated program change in service levels or areas
	<input type="checkbox"/> Proposed establishment of a new program or initiative
	<input type="checkbox"/> Loss of federal or other external financial support for existing program
	<input type="checkbox"/> Exhaustion of fund balances previously used to support program
	<input type="checkbox"/> IT Technology/Security related
	<input type="checkbox"/> Consulted DTO during development
<input type="checkbox"/> Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:
	<input type="checkbox"/> Education, Training, and Human Development
	<input type="checkbox"/> Healthy and Safe Families
	<input type="checkbox"/> Maintaining Safety, Integrity, and Security
	<input type="checkbox"/> Public Infrastructure and Economic Development
<input checked="" type="checkbox"/> Government and Citizens	

AGENCY NAME:	Department of Consumer Affairs		
AGENCY CODE:	R28	SECTION:	80

ACCOUNTABILITY OF FUNDS	<p>All. This increase in funds will allow the Agency to fulfill all goals, strategies, and objectives as set forth in its fiscal year 2019 Accountability Report.</p>
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What specific strategy, as outlined in the FY 2019-20 Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	<p>Department of Consumer Affairs employees whose compensation is supported by other funds as well as those other fund-funded employees eligible for health insurance and/or participating in the SCRS or PORS retirement plans.</p>
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST	<p>The Department of Consumer Affairs has 26 FTEs supported by other funds. The FY20 State Budget included a 2% cost of living increase (\$41,031) as well as an increase in the employer insurance costs associated with the State's Health Plan (\$14,226) and an increase in the associated costs for the State Retirement System and PORS (\$15,086). The Department's request to authorize an additional \$85,580 includes the annualized amounts for FY20 as well as the increases in retirement costs slated for FY21 (\$15,237).</p>
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Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

AGENCY NAME:	Department of Consumer Affairs		
AGENCY CODE:	R28	SECTION:	80

FORM D – PROVISO REVISION REQUEST

NUMBER	80.1 <i>Cite the proviso according to the renumbered list for FY 2020-21 (or mark "NEW").</i>
TITLE	Consumer Protection Code Violations Revenue <i>Provide the title from the FY 2019-20 Appropriations Act or suggest a short title for any new request.</i>
BUDGET PROGRAM	II. Legal, IV. Advocacy <i>Identify the associated budget program(s) by name and budget section.</i>
RELATED BUDGET REQUEST	N/A <i>Is this request associated with a budget request you have submitted for FY 2020-21? If so, cite it here.</i>
REQUESTED ACTION	Codify <i>Choose from: Add, Delete, Amend, or Codify.</i>
OTHER AGENCIES AFFECTED	N/A <i>Which other agencies would be affected by the recommended action? How?</i>
SUMMARY & EXPLANATION	<p>Authorizes DCA to retain all funds paid in the resolution of cases involving statutes enforced by the department and to use the retained funds to offset costs.</p> <p>This Proviso has been in effect for over 20 years. It received a minor clarification amendment in the FY18 Appropriations Act and has remained largely unchanged. Retention and carry forward of these funds are critical to DCA being able to carry out its duties under its respective statutes. Currently other funds constitute approximately 58% of the agency's budget.</p>

Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

AGENCY NAME:

Department of Consumer Affairs

AGENCY CODE:

R28

SECTION:

80

FISCAL IMPACT

Provide "other funds" to the Department in an approximate amount of \$300,000. This is the average amount received during the past three fiscal years. The number varies from year to year dependent on the amount and gravity of enforcement actions resulting in fines and penalties.

Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

**PROPOSED
PROVISO TEXT**

No changes.

Funds, paid to the department in resolution of cases involving violations of the South Carolina Consumer Protection Code and other statutes enforced by the department be retained and expended within the agency's budget to help offset the costs of investigating, prosecuting, and the administrative costs associated with these violations, may be carried forward and expended for the same purposes in the current fiscal year.

Paste FY 2019-20 text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

AGENCY NAME:	Department of Consumer Affairs		
AGENCY CODE:	R28	SECTION:	80

FORM D – PROVISIO REVISION REQUEST

NUMBER	80.2
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Cite the proviso according to the renumbered list for FY 2020-21 (or mark "NEW").

TITLE	Expert Witness/ Assistance Carry Forward
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Provide the title from the FY 2019-20 Appropriations Act or suggest a short title for any new request.

BUDGET PROGRAM	IV. Advocacy
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	N/A
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Is this request associated with a budget request you have submitted for FY 2020-21? If so, cite it here.

REQUESTED ACTION	Codify
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	N/A
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<p>Authorizes DCA to carry forward unexpended funds appropriated for the expert witness/assistance program.</p> <p>This Proviso has been in effect for over 20 years and has not been amended since that time. Carry forward is needed as the matters for which expert witnesses are hired frequently span two or more fiscal years.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

AGENCY NAME:	Department of Consumer Affairs		
AGENCY CODE:	R28	SECTION:	80

FISCAL IMPACT	<p>No impact.</p>
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Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

PROPOSED PROVISOR TEXT	<p>No changes.</p> <p>Unexpended encumbered appropriated funds for the Consumer Advocacy expert witness/assistance program (under Section 37-6-603) may be carried forward into the next fiscal year to meet contractual obligations existing at June thirtieth and not paid by July thirty-first.</p>
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Paste FY 2019-20 text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

AGENCY NAME:	Department of Consumer Affairs		
AGENCY CODE:	R28	SECTION:	80

FORM D – PROVISO REVISION REQUEST

NUMBER	80.3
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Cite the proviso according to the renumbered list for FY 2020-21 (or mark "NEW").

TITLE	Registered Credit Grantor Notification and Maximum Rate Filing Fees Retention
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Provide the title from the FY 2019-20 Appropriations Act or suggest a short title for any new request.

BUDGET PROGRAM	I. Administration, II. Legal, III. Services
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	N/A
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Is this request associated with a budget request you have submitted for FY 2020-21? If so, cite it here.

REQUESTED ACTION	Codify
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	N/A
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<p>Authorizes DCA to retain funds collected under Chapters 2, 3 and 6 of Title 37 to cover operational costs and to carry forward such funds.</p> <p>This Proviso was first adopted in 2009-2010 Appropriations Act as a revision to a similar Proviso that had been in effect since 2004-2005.</p> <p>The Proviso was updated in 2018-2019 Appropriations Act as portions were previously codified and the Department proposed referencing Chapters instead of sections to permit retention of all filing fees collected therein and avoid the need to amend the proviso as amendments or codification occurs.</p> <p>Retention and carry forward of these funds are critical to DCA being able to carry out its duties under its respective statutes. Currently other funds constitute approximately 58% of the agency's budget.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

AGENCY NAME:	Department of Consumer Affairs		
AGENCY CODE:	R28	SECTION:	80

FISCAL IMPACT	<p>Provide "other funds" to the Department in an approximate amount of \$590,000. This amount is based on the average fees collected over the past three fiscal years for the credit grantor notification program and the motor vehicle closing fee program.</p>
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Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

PROPOSED PROVISIO TEXT	<p>No changes.</p> <p>The Department of Consumer Affairs may retain all filing fees collected under Chapters 2, 3 and 6, Title 37 of the 1976 Code. These fees shall be used to offset the cost of administering and enforcing Title 37 and may be applied to the cost of operations. Unexpended balances may be carried forward for the prior fiscal year into the current fiscal year and be utilized for the same purposes.</p>
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Paste FY 2019-20 text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

AGENCY NAME:	Department of Consumer Affairs		
AGENCY CODE:	R28	SECTION:	80

FORM D – PROVISIO REVISION REQUEST

NUMBER	80.4
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Cite the proviso according to the renumbered list for FY 2020-21 (or mark "NEW").

TITLE	Retention of Fees
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Provide the title from the FY 2019-20 Appropriations Act or suggest a short title for any new request.

BUDGET PROGRAM	II. Legal
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	N/A
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Is this request associated with a budget request you have submitted for FY 2020-21? If so, cite it here.

REQUESTED ACTION	Codify
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	N/A
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<p>Authorizes DCA to retain funds collected under Chapter 61, Title 39 (Motor Club Services); Chapter 39, Title 40 (Pawnbrokers) and Chapter 79, Title 44 (Physical Fitness Services) for program implementation.</p> <p>This Proviso was first adopted in 2010-2011 Appropriations Act and was amended annually solely to update the fiscal year, until the date was removed in FY15. Retention of these funds is critical to DCA being able to carry out its duties under the delineated statutes. Currently other funds constitute approximately 58% of the agency's budget.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

AGENCY NAME:	Department of Consumer Affairs		
AGENCY CODE:	R28	SECTION:	80

FISCAL IMPACT	<p>Provide "other funds" to the Department in the approximate amount of \$140,000. This amount is based on the average monies received from the Pawnbroker, Physical Fitness and Motor Club programs during the last three fiscal years.</p>
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Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

PROPOSED PROVISIO TEXT	<p>No changes.</p> <p>For the current fiscal year, the department may retain all fees collected pursuant to Sections 39-61-80, 39-61-120, 40-39-120, and 44-79-80 of the 1976 Code. The funds retained shall be utilized to implement the requirements of the programs mandated by those sections of the code.</p>
-------------------------------	--

Paste FY 2019-20 text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

AGENCY NAME:	Department of Consumer Affairs		
AGENCY CODE:	R28	SECTION:	80

SUMMARY	<p>DCA receives the majority of its funding through other funds (58%). Seventy-nine percent of the agency's total budget is used for salaries and fringe. Of the general fund appropriations received, 73% are allocated for personnel expenses and the remaining 27% for operating costs. We currently have 44 FTE positions as compared to our pre-RIF (FY10) allocation of 68 FTEs. DCA is not in a position to delete any FTE positions, thus if a 3% reduction of general fund appropriations is implemented DCA would reduce operating expenses agency-wide.</p> <p>The decrease would result in DCA limiting training opportunities and travel for attorneys, investigators and other agency staff. The impact would be a potential lack of knowledge/keeping abreast of changes in Federal laws applicable to the regulatory statutes the agency administers and enforces, including Truth in Lending and mortgage related laws. Further, the majority of DCA's attorneys in the Legal Division have been with the agency for three years or less, thus training is of ever greater importance.</p> <p>The decrease would also affect agency outreach efforts. DCA has the responsibility of counseling consumers and businesses on their rights and responsibilities under consumer protection laws. Agency consumer and business information campaigns often include printed materials, media buys and statewide presentations. Reducing these items would result in a reduction of compliance and knowledge of consumer protection laws, negatively impacting the consumer credit marketplace.</p>
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Please provide a detailed summary of service delivery impact caused by a reduction in General Fund Appropriations and provide the method of calculation for anticipated reductions. Agencies should prioritize reduction in expenditures that have the least significant impact on service delivery.

AGENCY COST SAVINGS PLANS	N/A
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What measures does the agency plan to implement to reduce its costs and operating expenses by more than \$50,000? Provide a summary of the measures taken and the estimated amount of savings. How does the agency plan to repurpose the savings?

AGENCY NAME:	Department of Consumer Affairs		
AGENCY CODE:	R28	SECTION:	80

FORM F – REDUCING COST AND BURDEN TO BUSINESSES AND CITIZENS

TITLE	Agency Efficiencies
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Provide a brief, descriptive title for this request.

EXPECTED SAVINGS TO BUSINESSES AND CITIZENS	DCA will be able to process applications faster to enable businesses to quickly enter the marketplace, DCA can process complaints faster and have complaint and licensing systems open for customers 24/7. Businesses will spend less time submitting regulatory applications and responses to complaints, easier ability for all customers to ascertain applicable laws. DCA processes and business responsibilities are clear. Users can more easily navigate DCA's new website, developed at no cost.
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What is the expected savings to South Carolina's businesses and citizens that is generated by this proposal? The savings could be related to time or money.

FACTORS ASSOCIATED WITH THE REQUEST	<p>Mark "X" for all that apply:</p> <table border="1"> <tr> <td><input checked="" type="checkbox"/></td> <td>Repeal or revision of regulations.</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Reduction of agency fees or fines to businesses or citizens.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Greater efficiency in agency services or reduction in compliance burden.</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Other</td> </tr> </table>	<input checked="" type="checkbox"/>	Repeal or revision of regulations.	<input type="checkbox"/>	Reduction of agency fees or fines to businesses or citizens.	<input checked="" type="checkbox"/>	Greater efficiency in agency services or reduction in compliance burden.	<input type="checkbox"/>	Other
<input checked="" type="checkbox"/>	Repeal or revision of regulations.								
<input type="checkbox"/>	Reduction of agency fees or fines to businesses or citizens.								
<input checked="" type="checkbox"/>	Greater efficiency in agency services or reduction in compliance burden.								
<input type="checkbox"/>	Other								

METHOD OF CALCULATION	Use of agency accountability reports, comparison with prior technologies implemented and associated results. Data analytics from underlying programs.
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Describe the method of calculation for determining the expected cost or time savings to businesses or citizens.

REDUCTION OF FEES OR FINES	N/A. DCA does not the ability to adjust licensing fees on its own authority, a power given other agencies in the regulation of non-depository financial institutions.
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Which fees or fines does the agency intend to reduce? What was the fine or fee revenue for the previous fiscal year? What was the associated program expenditure for the previous fiscal year? What is the enabling authority for the issuance of the fee or fine?

REDUCTION OF REGULATION	Review in process.
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Which regulations does the agency intend to amend or delete? What is the enabling authority for the regulation?

AGENCY NAME:

Department of Consumer Affairs

AGENCY CODE:

R28

SECTION:

80

SUMMARY

DCA began a five-year regulation review in FY13 to ensure appropriate guidance to regulated entities, that regulations do not conflict with corresponding statutes and are not obsolete. The review ended in FY18 and resulted in the deletion of eight regulations, amendments to eighteen and one new regulation created. A new review began in FY19.

The Department has also employed new technologies to increase efficiencies for all customers and lessen business burden over the past few years:

- DCA launched a new, modernized website in December 2018. The clean, streamlined design offers improved navigation to the many tools available for our customers. The launch was in partnership with SC.GOV and provided at no cost to DCA. Staff continues to review website analytics to promote continuous improvement of the site.
- In February 2017, the agency received approval for next phase of changes for the online complaint system powered by SC.GOV. Some revisions have already been made. Additional updates will decrease DCA staff burden and increase ease of use for front-end users. The updates are provided at no cost to DCA. Full deployment is anticipated by Q2 FY21.
- 57% of the regulatory programs administered by DCA are now live on the agency's online licensing database. The remainder are set to launch throughout FY20.

The use of technology has enabled staff to provide more expedient and efficient services. In FY19, the Consumer Services Division processed complaints in 32 days, on average, as compared to the 45-55 day timeframe existing pre-complaint system deployment. The Consumer Services Division obtained credits, refunds and adjustments for consumers exceeding the Division's budget by more than \$240,000. The Legal Division's Licensing System deployment has returned similar results in decreasing processing times. In FY19, for the programs available online, 85% of businesses chose to use the online system. Staff was able to process 95% within thirty days of receipt of a complete application without the need for additional personnel. We anticipate this number to increase as additional programs go live.

Provide an explanation of the proposal and its positive results on businesses or citizens. How will the request affect agency operations?

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SC Department of Consumer Affairs: Proviso Summary

Transportation and Regulatory Subcommittee Proviso Request Summary			
Proviso # in FY 20-21 Act	Proviso Title	Short Summary	Agency Recommended Action (keep, change, delete, add)
80.1	Consumer Protection Code Violations Revenue	Authorizes DCA to retain all funds paid in the settlement of cases involving statutes enforced by the department and to use the retained funds to offset costs.	KEEP/CODIFY
80.2	Expert Witness/ Assistance Carry Forward	Authorizes DCA to carry forward unexpended funds appropriated for the expert witness/assistance program.	KEEP/CODIFY
80.3	Registered Credit Grantor Notification and Maximum Rate Filing Fees Retention	Authorizes DCA to retain funds collected under Chapters 2, 3 and 6 of Title 37 to cover operational costs and to carry forward such funds.	KEEP/CODIFY
80.4	Retention of Fees	Authorizes DCA to retain funds collected under Chapter 61, Title 39 (Motor Club Services); Chapter 39, Title 40 (Pawnbrokers) and Chapter 79, Title 44 (Physical Fitness Services) for program implementation.	KEEP/CODIFY

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**SC DEPARTMENT OF CONSUMER AFFAIRS:
AUTHORIZED VS. ACTUAL**

Total Appropriations/Authorized		3,420,638	Total Actual Expenditures		3,137,109	Year End Cash Total		511,691
Recurring General Funds		1,342,250	Recurring General Funds		1,237,402	General Funds		-
2017	Non-recurring General Funds	18,722	2017	Non-recurring General Funds	18,722	Consumer Awareness		19,622
	Recurring Earmarked Funds	2,059,666		Recurring Earmarked Funds	1,880,985	Operating Revenue		135,256
						Violations of SCCPC		356,813
Total Appropriations/Authorized		3,704,350	Total Actual Expenditures		3,337,546	Year End Cash Total		914,173
Recurring General Funds		1,516,061	Recurring General Funds		1,399,015	General Funds		-
2018	Non-recurring General Funds	128,623	2018	Non-recurring General Funds	128,623	Consumer Awareness		25,372
	Recurring Earmarked Funds	2,059,666		Recurring Earmarked Funds	1,809,908	Operating Revenue		266,842
						Violations of SCCPC		621,959
Total Appropriations/Authorized		3,709,789	Total Actual Expenditures		3,480,372	Year End Cash Total		830,624
Recurring General Funds		1,533,077	Recurring General Funds		1,368,077	General Funds		-
2019	Non-recurring General Funds	117,046	2019	Non-recurring General Funds	117,046	Consumer Awareness		19,222
	Recurring Earmarked Funds	2,059,666		Recurring Earmarked Funds	1,995,249	Operating Revenue		110,937
						Violations of SCCPC		700,465
Total Appropriations/Authorized		3,913,813	Total Actual Expenditures		-	Year End Cash Total		-
Recurring General Funds		1,717,836	Recurring General Funds		TBD	General Funds		TBD
2020	Non-recurring General Funds	136,311	2020	Non-recurring General Funds	TBD	Consumer Awareness		TBD
	Recurring Earmarked Funds	2,059,666		Recurring Earmarked Funds	TBD	Operating Revenue		TBD
						Violations of SCCPC		TBD

Non-recurring funds includes one time funds and prior fiscal year carryforward.

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SC Department of Consumer Affairs: FTE Breakdown

44 FTEs (41 filled, 3 vacant)

18- STATE FUNDED, 26- OTHER FUNDED

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SC Department of Consumer Affairs: Changes in Key Personnel

In FY19, three of the five employees who left the agency were in attorney or Division Director positions. Deputy Administrator Marti Phillips left in January 2019. She supervised the agency's Identity Theft Unit as well as its Accounting and Procurement Section. Her departure coupled with increased responsibilities of the Administrator/ Consumer Advocate magnified the void in the agency's leadership. The decision to hire a Director of Administration was made to fill this gap (Start date - January 6, 2020).

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**SC DEPARTMENT OF CONSUMER AFFAIRS:
AGENCY HIGHLIGHTS, CHALLENGES & OVERVIEW**

DCA HIGHLIGHTS: FY 20

This fiscal year, DCA has already:

Continued implementation of **restored utility intervention role**: meeting with utilities, consumer groups and other interested parties; vetting and retaining experts and consultants; attending town hall and hearings; recruiting for Assistant Consumer Advocate position; intervened in first matter (Blue Granite Water); Notice of Drafting for Solar Regulations published in December-Forum scheduled for 1/9/2020.

Recovered approximately **\$700,000** in consumer credits, refunds, and adjustments as a result of complaint mediation and enforcement.

Filed a **joint complaint** with the Consumer Financial Protection Bureau (Bureau) in federal court against Life Funding Options, Inc. (LFO), a corporation headquartered in Greenville, South Carolina. The complaint alleges LFO, Katharine Snyder and Performance Arbitrage Company, Inc. (PAC) targeted veterans while brokering high-interest credit contracts in violation of federal and South Carolina law.

The agencies seek to prohibit LFO, Snyder and PAC from further violating state and federal law, declare the contracts void and require payment of fines and refunds, among other requests.

Gave **91 presentations** to nearly **2,500 consumers** and **600 industry members** on topics such as identity theft and scams, online safety, financial literacy, homeowners associations and state consumer protection laws.

Received over **10,000 regulatory filings** for industries such as pawnbrokers, mortgage brokers, preneed funeral contracts and credit counseling.

Received **23 security breach notices** affecting at least **615,000 South Carolinians**. Reports from July-October represented a **316% increase** over January-June.

TOP CHALLENGE: EMPLOYEE RETENTION & HIRING

Since FY15, DCA has been adjusting to unprecedented staff turnover. Previously an agency with historically above par staff retention rates, an average of 10-15% percent of staff have exited each fiscal year. With the 2016 Classification and Compensation Study as our guide, the department secured monies for pay increases for FY17. The move towards paying staff at a level at least equal to their state employee counterparts was certainly a step in the right direction; however, the agency still realized turnover of 12% in FY19.

The results of having vacancies occur, and the time needed to fill the vacancies and train new staff, can lead to underperformance. Further, the learning curve of newly hired staff contributes as well. This is especially apparent in positions with responsibilities of administering and enforcing some of the one hundred plus laws under DCA's jurisdiction such as attorneys, investigators and paralegals. The exit of Division Directors similarly negatively impacts performance. In FY19, three of the five employees who left the agency were in attorney or Division Director positions.

It takes approximately three months to fill a vacant position (from vacancy to new hire start date.) This timeframe can be longer, however, depending on interest in the position. DCA has found it difficult to find interested and qualified persons, especially for professional positions. As an example, the last two attorney positions posted garnered less than twenty applicants each.

AGENCY OVERVIEW

The South Carolina Department of Consumer Affairs (“DCA”/ “Department”) is the state’s consumer protection agency. Established in 1974, DCA has over *forty years* of experience in protecting South Carolina consumers while recognizing those businesses that act honestly and fairly. DCA is charged with administering, interpreting and enforcing over 120 laws, including the S.C. Consumer Protection Code. Our mission is to protect consumers from inequities in the marketplace through advocacy, mediation, enforcement and education.

The Department accomplishes its mission by: 1.) acting as an effective regulator, 2.) providing complaint mediation services that are unmatched at both state and federal levels, 3.) saving millions for both consumers and small businesses through insurance rate filing intervention, 4.) serving as an educational portal for consumers and businesses alike, and 5.) informing the public on effective ways of preventing and mitigating identity theft situations.

DCA is governed by the **Commission on Consumer Affairs**. The Commission is comprised of nine members, with four being appointed by the General Assembly, four by the

Governor and the Secretary of State. This policymaking body has the responsibility of appointing the agency's **Administrator**, who is responsible for ensuring successful and efficient performance of the agency's functions and purposes described in the Consumer Protection Code, including advising the Legislature and Governor on consumer issues and state of credit in this State, administering and interpreting the Code and generally overseeing the day to day operations of the agency.

SCDCA is organized into six divisions: Administration, Consumer Services, Public Information and Education, Identity Theft Unit, Advocacy and the Legal Division.

All of DCA's functions are supported by the agency's **Administration Division**. All support and planning services critical to the operation of the agency are housed in Administration, including procurement, human resources, accounting and information technology. The Administrator position, appointed by the Commission on Consumer Affairs, is located in this Division. She is charged with advising the Legislature and Governor on consumer issues; administering, interpreting and enforcing Title 37, among other statutes; and managing the day to day operations of the agency.

The **Consumer Services Division** processes and mediates written consumer complaints, seeking to find equitable solutions for the consumer and the business, including refunds, adjustments, and credits to consumer accounts. Staff takes consumer complaints against businesses regulated by DCA, refers complaints that fall within another agency's jurisdiction, and mediates those complaints against businesses, or involving issues, that are unregulated. The Division provides South Carolina taxpayers with a readily available, experienced, and cost-effective mediation service.

The **Public Information and Education Division** serves as the main education portal for consumers, business and the media. The Division informs consumers and businesses on their rights and responsibilities in the marketplace through traditional and alternative media distribution, including social media, presentations, media coverage and publications. Education is a central part of DCA's mission. Cultivating a marketplace comprised of well-informed consumers and businesses prevents deceptive and unfair business practices and allows legitimate business activity to flourish, resulting in the promotion of competition and a healthier economy.

The Department's newest division, the **Identity Theft Unit (the "Unit")** provides education and outreach to South Carolina consumers across the state to increase public awareness and knowledge about what identity theft is, the steps consumers can take to protect themselves, and what consumers should do in the event of identity theft. For consumers who are identity theft victims, the Unit provides ongoing guidance throughout the process of mitigating and resolving their particular identity theft situation(s). The Unit also handles administration and enforcement of state identity theft-related consumer protection laws, including receipt of security breach notices to ensure reporting and notification requirements are met.

The **Advocacy Division** provides legal representation for the consumer interest in matters involving property and casualty insurance, worker's compensation insurance and utilities. The division was originally established to represent consumers at large before state and federal regulatory agencies that set rates, including for milk and utilities. Changes to the law from 1980 forward expanded the Division's responsibilities to include the analysis of workers' compensation, homeowners, auto and other insurance filings. The Consumer Advocate has participated in several insurance, worker's compensation and ratemaking proceedings in its history, garnering more than \$2.9 billion in savings for businesses and consumers alike. The responsibility to intervene in utility rate filings; however, was removed from the agency in 2004. The role was restored to SCDCA July 12, 2018.

As the state agency designated to represent the interests of consumers, the Division aims to ensure that increases are justified, working to avoid excessive, inadequate or unwarranted rate increases. The Division also oversees agency data collection and reporting functions and reviews rules and regulations proposed by state and federal agencies pertaining to ratemaking, providing comments as deemed appropriate.

The **Legal Division** performs the agency's licensing, administration and enforcement duties related to the majority of the 120 laws statutes under the agency's jurisdiction. The Division addresses complaints, conducts investigations, and brings enforcement actions in various courts for violations of the laws subject to action by the Administrator. The Legal Division also processes regulatory applications and filings for fifteen industries, including mortgage brokers, pawnbrokers, physical fitness centers, motor clubs, credit counseling organizations, prepaid legal services, athlete agents, the sale of preneed funeral contracts, registered consumer credit grantor, maximum rate filing and motor vehicle disclosure programs. The division also handles administration and enforcement of state identity theft-related laws, including receipt of security breach notices to ensure reporting and notification requirements are met.