**South Carolina General Assembly**

122nd Session, 2017-2018

**S. 679**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Talley

Document Path: l:\s-res\sft\016lice.dmr.sft.docx

Introduced in the Senate on May 2, 2017

Currently residing in the Senate Committee on **Finance**

Summary: Licensing fees

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

5/2/2017 Senate Introduced and read first time ([Senate Journal‑page 13](file:///h:\sj\20170502.docx))

5/2/2017 Senate Referred to Committee on **Finance** ([Senate Journal‑page 13](file:///h:\sj\20170502.docx))

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**VERSIONS OF THIS BILL**

[5/2/2017](file:///p:\pprever\2017-18\679_20170502.docx)

**A** **BILL**

TO AMEND CHAPTER 1, TITLE 1 OF THE 1976 CODE, RELATING TO THE ADMINISTRATION OF THE GOVERNMENT, BY ADDING ARTICLE 26, TO PROVIDE THAT, BEGINNING ON JULY 1, 2018, A STATE AGENCY MAY NOT IMPOSE ANY NEW LICENSING FEE ON BUSINESSES WITHIN ITS JURISDICTION, TO PROVIDE THAT A STATE AGENCY THAT VIOLATES THIS SECTION IS BARRED FROM IMPOSING LICENSING FEES ON BUSINESSES WITHIN ITS JURISDICTION, TO PROVIDE THAT A STATE AGENCY MAY NOT IMPOSE ANY REGULATION ON A PROFESSION OR OCCUPATION BEYOND THOSE PROVIDED IN TITLE 40 OF THE 1976 CODE, AND TO PROVIDE EXEMPTIONS; TO AMEND TITLE 4 OF THE 1976 CODE, RELATING TO COUNTIES, BY ADDING CHAPTER 2 TO PROVIDE THAT, BEGINNING ON JULY 1, 2018, A COUNTY MAY NOT IMPOSE ANY NEW LICENSING FEE ON BUSINESSES WITHIN ITS JURISDICTION, TO PROVIDE THAT A COUNTY THAT VIOLATES THIS SECTION IS BARRED FROM IMPOSING LICENSING FEES ON BUSINESSES WITHIN ITS JURISDICTION, TO PROVIDE THAT A COUNTY MAY NOT IMPOSE ANY REGULATION ON A PROFESSION OR OCCUPATION BEYOND THOSE PROVIDED IN TITLE 40 OF THE 1976 CODE, AND TO PROVIDE EXEMPTIONS; AND TO AMEND CHAPTER 1, TITLE 6 OF THE 1976 CODE, RELATING TO MUNICIPAL CORPORATIONS, BY ADDING ARTICLE 10, TO PROVIDE THAT, BEGINNING ON JULY 1, 2018, A MUNICIPAL CORPORATION MAY NOT IMPOSE ANY NEW LICENSING FEE ON BUSINESSES WITHIN ITS JURISDICTION, TO PROVIDE THAT A MUNICIPAL CORPORATION THAT VIOLATES THIS SECTION IS BARRED FROM IMPOSING LICENSING FEES ON BUSINESSES WITHIN ITS JURISDICTION, TO PROVIDE THAT A MUNICIPAL CORPORATION MAY NOT IMPOSE ANY REGULATION ON A PROFESSION OR OCCUPATION BEYOND THOSE PROVIDED IN TITLE 40 OF THE 1976 CODE, AND TO PROVIDE EXEMPTIONS.

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

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

“ARTICLE 26

Licensing Fees Imposed on Occupations

Section 1-1-1710. (A) Beginning on July 1, 2018, a state agency may not impose a new licensing fee on businesses within its jurisdiction.

(B) Beginning on July 1, 2018, a state agency that violates this section is barred from imposing licensing fees on businesses within its jurisdiction.

(C) Nothing contained in this section prohibits a state agency from collecting licensing fees that are imposed prior to July 1, 2018.

Section 1-1-1720. (A) A licensing fee imposed by a state agency prior to July 1, 2018 shall not exceed twenty-five dollars.

(B) The following are exempt from paying a licensing fee imposed by a state agency:

(1) enlisted or retired members of the military forces;

(2) low income individuals whose household adjusted gross income is below one hundred thirty percent of the federal poverty line; and

(3) individuals enrolled in a state or federal public assistance program, including, but not limited to, Temporary Assistance for Needy Families, Medicaid, or Supplemental Nutrition Assistance Program.

Section 1-1-1730. A state agency may not impose any regulation on a profession or occupation beyond those provided in Title 40 of the 1976 Code.”

SECTION 2. Title 4 of the 1976 Code is amended by adding:

“CHAPTER 2

Licensing Fees Imposed for Professions and Occupations

Section 4-2-110. (A) Beginning on July 1, 2018, a county may not impose a new licensing fee on businesses within its jurisdiction.

(B) Beginning on July 1, 2018, a county that violates this section is barred from imposing licensing fees on businesses within its jurisdiction.

(C) Nothing contained in this section prohibits a county from continuing to collect licensing fees that are imposed pursuant to Section 4-9-30(12) prior to July 1, 2018.

Section 4-2-120. (A) A licensing fee imposed by a county prior to July 1, 2018 shall not exceed twenty-five dollars.

(B) The following are exempt from paying licensing or other regulatory fees imposed by a county:

(1) enlisted or retired members of the military forces;

(2) low income individuals whose household adjusted gross income is below one hundred thirty percent of the federal poverty line; and

(3) individuals enrolled in a state or federal public assistance program, including, but not limited to, Temporary Assistance for Needy Families, Medicaid, or Supplemental Nutrition Assistance Program.

Section 4-2-130. A county may not impose any regulation on a profession or occupation beyond those provided in Title 40 of the 1976 Code.”

SECTION 3. Chapter 1, Title 6 of the 1976 Code is amended by adding:

“ARTICLE 10

Licensing Fees Imposed for Professions and Occupations

Section 6-1-3010. (A) Beginning on July 1, 2018, a municipal corporation may not impose a new licensing fee on businesses within its jurisdiction.

(B) Beginning on July 1, 2018, a municipal corporation that violates this section is barred from imposing licensing fees on businesses within its jurisdiction.

(C) Nothing contained in this section prohibits a municipal corporation from collecting licensing fees that are imposed prior to July 1, 2018.

Section 6-1-3020. (A) A licensing fee imposed by a municipal corporation prior to July 1, 2018 shall not exceed twenty-five dollars.

(B) The following are exempt from paying licensing or other regulatory fees imposed by a municipal corporation:

(1) enlisted or retired members of the military forces;

(2) low income individuals whose household adjusted gross income is below one hundred thirty percent of the federal poverty line; and

(3) individuals enrolled in a state or federal public assistance program, including, but not limited to, Temporary Assistance for Needy Families, Medicaid, or Supplemental Nutrition Assistance Program.

Section 6-1-3030. A municipal corporation may not impose any regulation on a profession or occupation beyond those provided in Title 40 of the 1976 Code.”

SECTION 4. This act takes effect upon approval by the Governor.

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