



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE

STATEMENT OF ESTIMATED FISCAL IMPACT

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Bill Number:	S. 0689	Introduced on March 21, 2019
Author:	Climer	
Subject:	Board Regulation of Professions and Occupations	
Requestor:	Senate Labor, Commerce, and Industry	
RFA Analyst(s):	A. Martin	
Impact Date:	April 4, 2019	

Fiscal Impact Summary

The revenue and expenditure impact of this bill is pending, contingent upon a response from the Department of Labor, Licensing and Regulation (LLR).

Explanation of Fiscal Impact

Introduced on March 21, 2019

State Expenditure

This bill makes changes to the regulatory processes of the boards and commissions that are under the administration of LLR. The bill restricts the denial of licensure for prior criminal convictions. The Revenue and Fiscal Affairs Office (RFA) is working with LLR to determine the number of occurrences in recent history where an applicant was denied licensure because of a prior conviction.

This bill prohibits regulatory boards and committees from using vague terms to describe qualifications in regard to personal character. In addition, the bill prohibits regulatory boards from considering arrests as a justification for denial of licensure, unless the arrest led to a subsequent conviction. Boards and commissions must also create a list of convictions that would cause a person to be denied licensure. This may require additional meetings of the boards and commissions.

This bill requires the board or commission to notify an applicant in writing if they deny his permit application, and provides the requirements of the notification. In addition, the bill allows an applicant to petition a regulatory board or commission for a determination of whether his criminal record would disqualify him from being eligible for licensure.

The expenditure impact of this bill is pending, contingent upon a response from LLR.

State Revenue

This bill allows an applicant to petition a regulatory board or commission for a determination of whether his criminal record would disqualify him from being eligible for licensure. The bill allows the board or commission to charge a fee for filing a petition. RFA is currently working with LLR to determine the fee amount and the number of anticipated petitions. The revenue impact of this bill is pending, contingent upon a response from LLR.

This bill prohibits regulatory boards from considering arrests as a justification for denial of licensure, unless the arrest led to a subsequent conviction. RFA is working with LLR to determine the number of occurrences in recent history where an applicant was denied licensure because of a prior conviction. This bill has the potential to increase the number of licenses issued by LLR. However, until data is received from LLR, we cannot make that determination.

In addition, this bill pertains to regulatory boards and commissions that fall under the Division of Professional and Occupational Licensing. Pursuant to Proviso 81.3 of the FY 2018-19 Appropriations Act, LLR is required to remit annually to the General Fund an amount equal to 10 percent of expenditures. RFA anticipates that the additional responsibilities created by this bill will increase expenditures for regulatory boards and commissions. The total increase of expenditures is pending, contingent upon a response from LLR. Therefore, the increase in General Fund revenue is pending, contingent upon a response from LLR.

The total revenue impact of this bill is pending, contingent upon a response from LLR.

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director