

Commitment Items

Name of Agency Contact: Celeste Brown or Carri Grube Lybarker

Contact Phone Number: 803-734-4264 or 803-734-4297

Contact E-mail Address: CBrown@scconsumer.gov / CLybarker@scconsumer.gov

Link to fees: https://consumer.sc.gov/sites/default/files/Documents/About%20Us/Spending%20Transparency/Fines_and_Fees_Report_FY19-Proviso_117_73.pdf

Agency Code	Agency Name (or Acronym)	Fund Number	Fund Title	Commitment Item	Commitment Item Title	Enabling Statute or Proviso	Purpose of Fund/Commitment Item	Program or Activity Supported by Revenue	Carry Forward Authority (Statute or Proviso)	Detail of How Revenue is Generated. Fees, Fines, Assessments, Charges, etc. amount(s). Identify who pays the fee, fine charge, etc.	FY 2018-19 Actual Revenue	FY 2019-20 Estimated Revenue	FY 2020-21 Projected Revenue	
1	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4110020006	RETURNED CHECK FEE	\$34-11-70(a)	To collect and retain fees from returned checks.	DCA operations.	\$34-11-70(a)	\$30 Returned check fee assessed on returned checks.	\$60	\$0	\$0
2	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4110110000	CREDIT NOTIFIC FEE	\$37-6-202,203	To collect and retain revenue / fees to implement the cost of regulating registered creditors.	DCA operations.	\$37-6-203 Proviso 80.4	Credit Grantors file and pay an annual notification fee of \$120 per location.	\$538,308	\$578,066	\$578,066
3	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4110110001	CR NOT-RENT TO OWN	\$37-6-203,204	To collect and retain revenue / fees to implement the cost of regulating registered creditors.	DCA operations.	\$37-6-203 Proviso 80.4	Rent to own businesses file and pay an annual notification fee of \$120 per location.	\$9,226	\$10,000	\$10,000
4	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4150240000	MOTOR VEH DEAL CLSNG	\$37-2-307	To collect and retain revenue / fees to implement the cost of regulating registered creditors.	Legal Division - regulation of motor vehicle closing fees	\$37-2-307; Proviso 80.4	Motor vehicle dealers who charge closing fees on contracts must pay a \$25 annual filing fee.	\$17,822	\$18,000	\$19,000
5	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160070000	PRENEED BURIAL CONT	\$32-7-50(c)(2)	To collect and retain revenue/fees to implement the cost of regulating the sale of Preneed Funeral Contracts.	Legal Division- regulation of preneed funeral contracts	\$32-7-50(c)(2)	Funeral Homes that sell Preneed Funeral Contracts to the general public are required to submit a copy of each contract sold to the Department (SCDCA) along with a fee of \$20 that is used to implement regulation.	\$159,310	\$125,000	\$125,000
6	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160080000	CREDIT CARD FILG FEE	\$37-3-306(1)(a)	To collect and retain revenue/fees to implement regulation of lender credit cards.	Legal Division - regulation of lender credit cards	\$37-3-306(1)(a)	Every creditor in South Carolina engaged in making consumer loans pursuant to a lender credit card or similar arrangement must pay an annual \$20 fee.	\$237	\$0	\$0
7	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160090000	CERT OF AUTHORITY FEE	\$39-61-80(a), 70(b)	To collect and retain revenue/fees to implement regulation of motor clubs.	Legal Division - regulation of motor clubs	Proviso 80.5	Motor clubs that operate in SC must pay a \$500 annual fee.	\$16,367	\$16,000	\$17,000
8	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160100000	MOTOR CLUB REPR FEE	\$39-61-120(e)	To collect and retain revenue/fees to implement regulation of motor clubs.	Legal Division - regulation of motor clubs	Proviso 80.5	Representative of a motor club must pay a \$20 annual fee.	\$53,598	\$50,000	\$55,000
9	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160110000	ATHLETE AGENT FEE	\$59-102-90(1)(2)	To collect and retain revenue / fees to implement regulation of athlete agents.	Legal Division - regulation of athlete agents	\$59-102-30(D); Proviso 80.2	Athlete agents must pay \$500 per representative for initial application and \$300 per representative for renewal.	\$22,500	\$30,000	\$25,000
10	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160120000	PRO EMP ORG/STF LEAS	\$40-68-10(A), \$40-68-50(A)(1)(2)(3)	To collect and retain revenue / fees to implement Regulation of Professional Employer Organizations	Legal/Advocacy Division- regulation of PEO's	\$40-68-170	Professional Employer Organizations (PEO's) pay a biennial license fee of \$1,500. Group PEO'S pay a biennial license fee of \$3,000. During even number years, the Department completes an assessment.	\$167,150	\$200,000	\$175,000

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11	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	416020000	MORT BROKER REC AMND	\$40-58-110(A)(2)	To collect and retain nonrefundable fees by applicants using NMLS.	Legal Division-regulation of Mortgage Broker Act.	\$40-58-110(C)	Nonrefundable processing fees of \$25 assessed by NMLS which pass through to the Department.	\$3,700	\$3,000	\$3,000
12	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160320000	PREND BURIAL CNT LIC	\$32-7-50(B)	To collect and retain revenue/fees to implement the cost of regulating the sale of Preneed Funeral Contracts.	Legal Division-regulation of Preneed Funeral.	\$32-7-50(D)	Funeral Homes selling preneed funeral contracts to the general public are required to file and pay \$250 for a license.	\$3,250	\$5,000	\$3,500
13	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160320001	PREND BURIAL CNT REN	\$32-7-50(D)	To collect and retain revenue/fees to implement the cost of regulating the sale of Preneed Funeral Contracts.	Legal Division-regulation of Preneed Funeral.	\$32-7-50(D)	Licensed preneed funeral contract providers are required to file and pay a \$200 renewal fee of which \$100 must go to the preneed loss fund.	\$200	\$32,000	\$0
14	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160340000	PAWNBKR CERT OF AUT	\$40-39-120	To collect and retain revenue/fees to implement regulation of Pawnbrokers.	Legal Division-regulation of Pawnbrokers.	Proviso 80.5	Pawnbrokers must pay an annual fee of \$275 per location. Also a change of address fee of \$25.	\$52,245	\$65,000	\$60,000
15	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160350000	MORT BRKR REGIS FEE	\$40-58-50, 110(A)(1)	To collect and retain revenue/fees to implement regulation of Mortgage Broker Act.	Legal Division-regulation of Mortgage Brokers.	\$40-58-110(C)	Nonrefundable fee of \$550 charged to each applicant.	\$163,900	\$122,000	\$155,000
16	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160350001	MORT BRKR INT PRO FE	\$40-58-110(A)(1)	To collect and retain revenue/fees to implement regulation of Mortgage Broker Act.	Legal Division-regulation of Mortgage Brokers.	\$40-58-110(C)	Nonrefundable processing fee of \$200 charged to each new applicant.	\$14,000	\$10,000	\$13,800
17	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160390000	CON CARE RET COM LIC	\$37-11-30(A)	To collect and retain revenue/fees to implement regulation of Continuing Care Retirement Communities.	Legal Division-Continuing Care Retirement Communities.	\$37-11-137	Retirement care community must pay a licensing fee of \$2,000.	\$47,500	\$63,000	\$65,000
18	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160410000	CRED COUNSEL ORG FEE	\$37-7-102, \$37-7-104(B)	To collect and retain revenue/fees to implement regulation of Credit Counseling Organizations.	Legal Division-regulation of Credit Counseling.	\$37-7-122	Each credit counseling organization must pay \$100 per business location for licensing.	\$10,193	\$9,450	\$10,000
19	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160410001	CR COUNSL INVEST FEE	\$37-7-102, \$37-7-104(B)	To collect and retain revenue/fees to implement regulation of Credit Counseling Organizations.	Legal Division-regulation of Credit Counseling.	\$37-7-122	Each credit counseling organization must pay a nonrefundable \$50 investigation fee.	\$498	\$550	\$500
20	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160450000	PREPD LEGAL SVCS FEE	\$37-16-40(B)	To collect and retain revenue/fees to implement the cost of regulating Prepaid Legal Service Act.	Legal Division-regulation of Prepaid Legal Services.	\$37-16-40(B)	Each company wanting to offer Prepaid Legal Services must pay an annual fee of \$800.	\$10,400	\$9,600	\$10,000
21	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160450001	PREPD LEGAL REP FEE	\$37-16-30	To collect and retain revenue/fees to implement the cost of regulating Prepaid Legal Service Act.	Legal Division-regulation of Prepaid Legal Services.	\$37-16-30	Each applicant must pay an annual fee of \$40.	\$84,341	\$100,400	\$100,000

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22	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160460000	DISC MED PL ORG FEE	§37-17-40	To collect and retain revenue/fees to implement regulation of Discount Medical Plan Organizations.	Legal Division-regulation of Discount Medical Plan Organizations.	§37-17-40(5)	Each applicant must pay an annual fee between \$500-\$1,000 depending upon the number of representatives.	\$18,750	\$18,000	\$19,000
23	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160520000	MORTG ORIGINATOR LIC	§40-58-50, 110(A)(2)	To collect and retain revenue/fees to implement Mortgage Broker Act.	Legal Division-regulation of Mortgage Brokers Act.	§40-58-110(C)	Each applicant must pay an annual nonrefundable fee of \$50 and \$100 for qualified loan originator.	\$43,350	\$40,000	\$42,000
24	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160530002	MORT BRKR BRNCH OFF	§40-58-110(A)(1)	To collect and retain revenue/fees to implement Mortgage Broker Act.	Legal Division-regulation of Mortgage Brokers Act.	§40-58-110(C)	Each applicant must pay an annual nonrefundable fee of \$150 per each business location.	\$14,850	\$13,000	\$14,000
25	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4160540000	CREDIT COUNSELOR FEE	§37-7-104(C)(2)	To collect and retain revenue/fees to implement Credit Counseling Act.	Legal Division-regulation of Credit Counseling.	§37-7-122	Each credit counselor applicant must pay an annual fee of \$40.	\$32,185	\$32,000	\$35,000
26	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4420040000	RATE SCHEDULE FILE F	§37-2-305, §37-3-305	To collect and retain revenue / fees to implement the cost of regulating registered creditors.	DCA Operations.	§37-2-305(7), 37-3-305(7) Proviso 80.4	Credit Grantors (lenders and credit sellers) that intend to impose an annual finance charge in excess of 18% must file a maximum rate schedule and pay an annual fee of \$40 per location.	\$162,303	\$175,600	\$175,600
27	R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	4420080000	PHYSICAL FIT SVC FEE	§44-79-80 (5)	To collect and retain revenue/fees to implement the cost of regulating the Physical Fitness Act.	Legal Division-regulation of Physical Fitness Act.	Proviso 80.5	Businesses that offer physical fitness services are required to pay an annual fee of \$50 per location.	\$29,821	\$27,000	\$30,000
28	R280	CONSUMER AFFAIRS COMM	31480000	CONSUMER AWARENESS	4530030000	MISC REVENUE	§11-13-45	To collect and retain funds used for general agency activities.	DCA Operations.	§11-13-45	Funds received from CPSC contractual obligations.	\$5,850	\$7,000	\$6,000
29	R280	CONSUMER AFFAIRS COMM	38100000	VIOLATIONS OF SCCPC	4223080000	LATE FILING PENALTY	§37-6-108-109, 113, 118, 506	To collect and retain late fees assessed under SCCPC or TILA and other statutes enforced by the Department.	Legal Division: Investigation and Enforcement.	Proviso 80.1	Businesses or persons regulated by SCDCA who pay fees after the filing deadline are assessed late fees.	\$127,355	\$25,000	\$45,000
30	R280	CONSUMER AFFAIRS COMM	38100000	VIOLATIONS OF SCCPC	4530030000	MISC REVENUE	§37-6-108-109, 113, 118, 506	To collect and retain funds in settlement of cases involving violations of the SCCPC and other statutes enforced by the Department.	Legal Division: Investigation and Enforcement.	Proviso 80.1	Persons violating the SCCPC or TILA pay fines and penalties as ordered by a Court of Law or through Departmental regulations.	\$108,281	\$275,000	\$400,280
31	R280	CONSUMER AFFAIRS COMM	47450000	PRENEED LOSS REIMB F	4160150000	PRE FUNERAL LOSS RMB	§32-7-50 (D), 60(B)	To reimburse applicants who have suffered financial loss as a result of the misfeasance, fraud, default, failure, or insolvency of a South Carolina funeral home or South Carolina funeral director.	Purchasers of preneed contracts.	§32-7-60(B)	One hundred dollars of each renewal license fee is to be deposited in the Preneed Funeral Loss Reimbursement Fund. Fines assessed to providers.	\$14,906	\$0	\$15,000
32	R280	CONSUMER AFFAIRS COMM	47450000	PRENEED LOSS REIMB F	4223130000	PREN FNR LSS CIV PEN	§32-7-50 (C)(1)	To penalize funeral homes that sell preneed contracts who do not comply with §32-7-50 (C)(1).	Purchasers of preneed contracts.	§32-7-60(B)	Listing or fees that are not sent to the department within sixty days of the last day of the month when the contract was sold the Department (SCDCA) assesses a late fee of \$10 per each late contract.	\$4,830	\$0	\$0
33	R280	CONSUMER AFFAIRS COMM	47450000	PRENEED LOSS REIMB F	4660010000	INVEST ERN	§32-7-60(C)	Collect interest on trust account funds as required by §32-7-60(C)	State of South Carolina	§32-7-60(C)	Interest earned on funds deposited in trust.	\$10,125	\$0	\$0

Agency Funds

Cash Balances and Expenditures

Name of Agency Contact: Celeste Brown/ Carri Grube Lybarker

Contact Phone Number: 803-734-4264/ 803-734-4297

Contact E-mail Address: Cbrown@scconsumer.gov/ Clybarker@scconsumer.gov

Agency Code	Agency Name (or Acronym)	Fund Number	Fund Title	FY 2018-19 Year End Cash Balance	FY 2018-19 Total Expenditures from Fund	Cash Balance as a % of Expenditures	Describe in detail why the agency needs to carry forward a balance greater than one-sixth (16.5% = 60 days) of the funds identified as total expenditures for the prior fiscal year
1 R280	CONSUMER AFFAIRS COMM	30350000	OPERATING REVENUE	\$110,937	\$1,831,968	6.06%	
2 R280	CONSUMER AFFAIRS COMM	31480000	CONSUMER AWARENESS	\$19,222	\$12,000	160.19%	Funds are needed to meet operating costs as DCA is majority other fund funded, with the bulk of these funds not being collected until the third quarter of each fiscal year.
3 R280	CONSUMER AFFAIRS COMM	38100000	VIOLATIONS OF SCCPC	\$700,465	\$157,130	445.79%	Funds are needed to meet other operating costs as DCA is majority other fund funded, with the bulk of these funds not being collected until the third quarter of each fiscal year. While the agency receives authorization to spend approximately \$2 million of other funds annually, the amount actually collected varies depending on number of applications/filing received and enforcement actions concluding.
4 R280	CONSUMER AFFAIRS COMM	33750000	CREMATION SOCIETY FD	\$12,000	\$0	0.00%	
5 R280	CONSUMER AFFAIRS COMM	47450000	PRENEED LOSS REIMB F	\$534,988	\$0	0.00%	