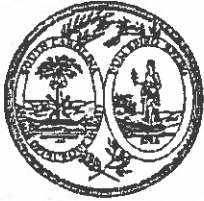


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Agency Budget Plan - Fiscal Year 2016-17

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



Fiscal Year 2016-17 Agency Budget Plan

FORM A – SUMMARY

RECURRING FUNDS (FORM B DECISION PACKAGES)	<p>My agency is submitting the following recurring decision packages (Form B):</p> <p style="text-align: center;">5866, 5869, 7258</p> <p>For FY 2016-17, my agency is (mark "X"):</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20px;"><input type="checkbox"/></td> <td>Requesting a net increase in recurring General Fund appropriations.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Not requesting a net increase in recurring General Fund Appropriations.</td> </tr> </table>	<input type="checkbox"/>	Requesting a net increase in recurring General Fund appropriations.	<input checked="" type="checkbox"/>	Not requesting a net increase in recurring General Fund Appropriations.		
<input type="checkbox"/>	Requesting a net increase in recurring General Fund appropriations.						
<input checked="" type="checkbox"/>	Not requesting a net increase in recurring General Fund Appropriations.						
CAPITAL & NON-RECURRING FUNDS (FORM C DECISION PACKAGES)	<p>My agency is submitting the following one-time decision packages (Form C):</p> <p>N/A</p> <p>For FY 2016-17, my agency is (mark "X"):</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20px;"><input type="checkbox"/></td> <td>Requesting capital and/or non-recurring funds.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Not requesting capital and/or non-recurring funds.</td> </tr> </table>	<input type="checkbox"/>	Requesting capital and/or non-recurring funds.	<input checked="" type="checkbox"/>	Not requesting capital and/or non-recurring funds.		
<input type="checkbox"/>	Requesting capital and/or non-recurring funds.						
<input checked="" type="checkbox"/>	Not requesting capital and/or non-recurring funds.						
PROVISOS	<p>For FY 2016-17, my agency is (mark "X"):</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20px;"><input type="checkbox"/></td> <td>Requesting a new proviso and/or substantive changes to existing provisos.</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Only requesting technical proviso changes (such as date references).</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Not requesting any proviso changes. (codification only)</td> </tr> </table>	<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. (codification only)
<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. (codification only)						

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

	<u>Name</u>	<u>Phone</u>	<u>Email</u>
PRIMARY CONTACT:	Carri Grube Lybarker	803-734-4297	CLybarker@scconsumer.gov
SECONDARY CONTACT:	Latitia Trezevant	803-734-0366	LTrezevant@scconsumer.gov

I have reviewed and approved the enclosed FY 2016-17 Agency Budget Plan, which is complete and accurate to the extent of my knowledge.

	<u>Agency Director</u>	<u>Board or Commission Chair</u>
SIGN/DATE:		9/25/15
TYPE/PRINT NAME:	Carri Grube Lybarker	David Campbell

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

AGENCY NAME:	Department of Consumer Affairs		
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FORM B – PROGRAM REVISION REQUEST

DECISION PACKAGE	5866
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Provide the decision package number issued by the PBF system (“Governor’s Request”).

TITLE	Health Insurance Allocation for FY15-16
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Provide a brief, descriptive title for this request.

AMOUNT	\$5,017
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What is the net change in requested appropriations for FY 2015-16? This amount should correspond to the decision package’s total in PBF across all funding sources.

ENABLING AUTHORITY	Executive Budget Office. No.
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What state or federal statutory, regulatory, and/or administrative authority established this program? Is this decision package prompted by the establishment of or a revision to that authority?

FACTORS ASSOCIATED WITH THE REQUEST	Mark “X” for all that apply:
	<input checked="" type="checkbox"/> (Base Adjustment) Allocation of statewide employee benefits.
	<input type="checkbox"/> (Base Adjustment) Realignment within existing programs and lines.
	<input type="checkbox"/> (Base Adjustment) Restructuring of agency programs – <i>requires pre-approval.</i>
	<input 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.	

RECIPIENTS OF FUNDS	SCDCA Employees paid with General Funds. Funds are to be allocated pursuant to salary assigned and 32.44% employee benefit calculation.
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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?

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RELATED REQUEST(S)	No. No.
	<i>Is this decision package associated with other decision packages requested by your agency or other agencies this year? Is it associated with a specific capital or non-recurring request?</i>

MATCHING FUNDS	No.
	<i>Would these funds be matched by federal, institutional, philanthropic, or other resources? If so, identify the source, amount, and terms of the match requirement.</i>

FUNDING ALTERNATIVES	No other sources of funding were considered. No.
	<i>What other possible funding sources were considered? Could this request be met in whole or in part with the use of other resources, including fund balances? If so, please comment on the sustainability of such an approach.</i>

SUMMARY	The monies received for the healthcare allocation was allocated to the General Fund Employer Contributions line to cover actual costs of Employee Benefits for the General Fund paid Full-Time Employees.	
	These funds are not related to Technology or Security.	
	Information Technology /Security	Y/N N
Consulted DTO during development	Y/N N/A	

Provide a summary of the rationale for the decision package. Why has it been requested? How specifically would the requested funds be used? If the request is related to information security or information technology, explain its relationship to the agency's security or technology plan.

AGENCY NAME:	Department of Consumer Affairs		
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METHOD OF CALCULATION	The amount received was automatically calculated by the Executive Budget Office and pushed down to SCDCA.
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How was the amount of the request calculated? What factors could cause deviations between the request and the amount that could ultimately be required in order to perform the underlying work?

FUTURE IMPACT	No. The amount for this request has already been granted.
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Will the state incur any maintenance-of-effort or other obligations by adopting this decision package? What impact will there be on future capital and/or operating budgets if this request is or is not honored? Has a source of any such funds been identified and/or obtained by your agency?

PRIORITIZATION	N/A
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If no or insufficient new funds are available in order to meet this need, how would the agency prefer to proceed? By using fund balances, generating new revenue, cutting other programs, or deferring action on this request in FY 2015-16?

AGENCY NAME:	Department of Consumer Affairs		
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INTENDED IMPACT	To permit SCDCA to pay associated benefits for General Fund employees at the delineated salaries/ rates.
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What impact is this decision package intended to have on service delivery and program outcomes, and over what period of time?

PROGRAM EVALUATION	N/A.
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How would the use of these funds be evaluated? What specific outcome or performance measures would be used to assess the effectiveness of this program?

AGENCY NAME:	Department of Consumer Affairs		
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FORM B – PROGRAM REVISION REQUEST

DECISION PACKAGE	5869
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Provide the decision package number issued by the PBF system ("Governor's Request").

TITLE	DCA General Fund Operating Expenses Reallocation
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Provide a brief, descriptive title for this request.

AMOUNT	\$0
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What is the net change in requested appropriations for FY 2015-16? This amount should correspond to the decision package's total in PBF across all funding sources.

ENABLING AUTHORITY	<p>S.C. Code Ann. sections 37-1-101 et seq., specifically section 37-6-104, 37-6-501, 37-6-506, 37-6-601~609, S.C. Code Ann. R.28-1, 28-4. Provisos 80.1, 80.2, 80.4, 80.5. Motor Clubs (Act 400 of 1984), Physical Fitness Services (Act 165 of 1985), Pawnbrokers (Act 491 of 1988), Mortgage Loan Brokers (Act 544 of 1988), Telephone Solicitations (Act 656 of 1988), Continuing Care Retirement Communities (Act 97 of 1989), Express Warranties on Motor Vehicles (Act 142 of 1989), Athlete Agents (Act 456 of 1990; Act No. 300 of 2004), Motor Vehicle Subleasing (Act 132 of 1991), Loan Brokers (Act 452 of 1992), Motor Fuel Pricing (Act 161 of 1993), Professional Employer Organizations (Act 169 of 1993), Preneed Funeral Contracts, (Act No. 188 of 2004, Section 8).</p> <p>No.</p>
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What state or federal statutory, regulatory, and/or administrative authority established this program? Is this decision package prompted by the establishment of or a revision to that authority?

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:
	<input type="checkbox"/> (Base Adjustment) Allocation of statewide employee benefits.
	<input checked="" type="checkbox"/> (Base Adjustment) Realignment within existing programs and lines.
	<input type="checkbox"/> (Base Adjustment) Restructuring of agency programs – <i>requires pre-approval.</i>
	<input 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.	

RECIPIENTS OF FUNDS	SCDCA Legal Division.
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AGENCY NAME:	Department of Consumer Affairs		
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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?

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RELATED REQUEST(S)	7258, DCA Earmarked Fund Reallocation (Recurring) No.
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Is this decision package associated with other decision packages requested by your agency or other agencies this year? Is it associated with a specific capital or non-recurring request?

MATCHING FUNDS	No. No.
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Would these funds be matched by federal, institutional, philanthropic, or other resources? If so, identify the source, amount, and terms of the match requirement.

FUNDING ALTERNATIVES	Adjustments were made after consideration of use of anticipated licensing system and needed compilation of regulatory responsibilities within one Division.
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What other possible funding sources were considered? Could this request be met in whole or in part with the use of other resources, including fund balances? If so, please comment on the sustainability of such an approach.

SUMMARY	<p>Harnessing technology has been a longstanding goal of DCA. The FY14 budget included funding for DCA to secure a new, back-end licensing database with web deployment capabilities. The agency entered into a contract for development of the system in FY15 and anticipate all regulatory programs will be in production by late FY16, early FY17. Database implementation will result in all agency regulatory programs being processed through the same system for the first time, ensuring cohesiveness in the administration and enforcement of laws under the agency's jurisdiction.</p> <p>In FY16, all programs were put under the supervision of one Deputy as opposed to two, to move in the direction of ensuring fair and consistent enforcement and administration. This request reflects the transfer of other operating general funds from the Advocacy Division, which currently administers and enforces three regulatory programs, to the Legal Division. The monies reflect annual costs for system maintenance as well as server maintenance, which will be performed by DTO, for these programs.</p>	
Information Technology /Security	Y/N	Y
Consulted DTO during development	Y/N	Y

Provide a summary of the rationale for the decision package. Why has it been requested? How specifically would the requested funds be used? If the request is related to information security or information technology, explain its relationship to the

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agency's security or technology plan.

METHOD OF CALCULATION	<p>The adjustments were made based on sharing of costs for system and server maintenance for the three regulatory programs currently being administered and enforced through the Advocacy Division.</p> <p>DCA is not aware of any events at this time that could result in a deviation of the request and need.</p>
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How was the amount of the request calculated? What factors could cause deviations between the request and the amount that could ultimately be required in order to perform the underlying work?

FUTURE IMPACT	<p>No.</p> <p>Any impact of not granting the request would result in DCA needing to shift allocations of operating expense funds between Divisions during the fiscal year.</p> <p>Other funds are also being shifted as a part of this effort pursuant to an additional decision package.</p>
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Will the state incur any maintenance-of-effort or other obligations by adopting this decision package? What impact will there be on future capital and/or operating budgets if this request is or is not honored? Has a source of any such funds been identified and/or obtained by your agency?

PRIORITIZATION	<p>No new funds are requested.</p>
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If no or insufficient new funds are available in order to meet this need, how would the agency prefer to proceed? By using fund balances, generating new revenue, cutting other programs, or deferring action on this request in FY 2015-16?

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INTENDED IMPACT	<p>Granting of this request would result in decreased time spent by DCA staff to adjust funding to needed areas throughout the year. Further, cost savings will be more easily identifiable per Division.</p>
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What impact is this decision package intended to have on service delivery and program outcomes, and over what period of time?

PROGRAM EVALUATION	<p>Effectiveness of the allocation would be evident at year end through an internal audit comparing the funding levels with actual expenditures per Division.</p>
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How would the use of these funds be evaluated? What specific outcome or performance measures would be used to assess the effectiveness of this program?

AGENCY NAME:	Department of Consumer Affairs		
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FORM B – PROGRAM REVISION REQUEST

DECISION PACKAGE	7258
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Provide the decision package number issued by the PBF system ("Governor's Request").

TITLE	DCA Earmarked Fund Reallocation
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Provide a brief, descriptive title for this request.

AMOUNT	\$0
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What is the net change in requested appropriations for FY 2015-16? This amount should correspond to the decision package's total in PBF across all funding sources.

ENABLING AUTHORITY	<p>S.C. Code Ann. sections 37-1-101 et seq., specifically section 37-6-104, 37-6-501, 37-6-506, 37-6-601~609, S.C. Code Ann. R.28-1, 28-4. Provisos 80.1, 80.2, 80.4, 80.5. Motor Clubs (Act 400 of 1984), Physical Fitness Services (Act 165 of 1985), Pawnbrokers (Act 491 of 1988), Mortgage Loan Brokers (Act 544 of 1988), Telephone Solicitations (Act 656 of 1988), Continuing Care Retirement Communities (Act 97 of 1989), Express Warranties on Motor Vehicles (Act 142 of 1989), Athlete Agents (Act 456 of 1990; Act No. 300 of 2004), Motor Vehicle Subleasing (Act 132 of 1991), Loan Brokers (Act 452 of 1992), Motor Fuel Pricing (Act 161 of 1993), Professional Employer Organizations (Act 169 of 1993), Preneed Funeral Contracts, (Act No. 188 of 2004, Section 8).</p> <p>No.</p>
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What state or federal statutory, regulatory, and/or administrative authority established this program? Is this decision package prompted by the establishment of or a revision to that authority?

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:
	<input type="checkbox"/> (Base Adjustment) Allocation of statewide employee benefits.
	<input checked="" type="checkbox"/> (Base Adjustment) Realignment within existing programs and lines.
	<input type="checkbox"/> (Base Adjustment) Restructuring of agency programs – <i>requires pre-approval.</i>
	<input 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.	

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

RECIPIENTS OF FUNDS	SCDCA Administration, Legal and Public Information and Education Divisions.
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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?

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

RELATED REQUEST(S)	5869, DCA General Fund Operating Expenses Reallocation (Recurring) No.
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Is this decision package associated with other decision packages requested by your agency or other agencies this year? Is it associated with a specific capital or non-recurring request?

MATCHING FUNDS	No. No.
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Would these funds be matched by federal, institutional, philanthropic, or other resources? If so, identify the source, amount, and terms of the match requirement.

FUNDING ALTERNATIVES	Adjustments were made after consideration was given to cost savings implemented during the past fiscal year and anticipated to continue into the future. Further, DCA looked to the availability of general funds to cover needed gaps.
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What other possible funding sources were considered? Could this request be met in whole or in part with the use of other resources, including fund balances? If so, please comment on the sustainability of such an approach.

SUMMARY	<p>In FY16, all regulatory programs were put under the supervision of one Deputy as opposed to two, to ensure fair and consistent enforcement and administration and in anticipation of all programs being housed in one database. The majority of this request reflects the transfer of personnel from the Advocacy Division, which currently administers and enforces three regulatory programs, to the Legal Division.</p> <p>Further, at the conclusion of FY15, DCA implemented an internal audit to identify differences between funding levels received as compared to actual expenditures within each Division. This remainder of this request is based upon these results and is an effort to bring funding in line with actual expenses so as to limit the need for reallocation during the fiscal year, thus increasing transparency.</p>	
Information Technology /Security	Y/N N	While general funds are being requested to fill identified expense gaps and to provide stability in funding for DCA, the agency is 64% other fund funded, so the majority of reallocation is occurring at the other fund level.
Consulted DTO during development	Y/N N/A	

Provide a summary of the rationale for the decision package. Why has it been requested? How specifically would the requested funds be used? If the request is related to information security or information technology, explain its relationship to the

AGENCY NAME:	Department of Consumer Affairs		
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agency's security or technology plan.

METHOD OF CALCULATION	<p>The adjustments were made based on actual expenditures per Division during FY15 and forecasting of future expenditures.</p> <p>DCA is not aware of any events at this time that could result in a deviation of the request and need.</p>
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How was the amount of the request calculated? What factors could cause deviations between the request and the amount that could ultimately be required in order to perform the underlying work?

FUTURE IMPACT	<p>No.</p> <p>Any impact of not granting the request would result in DCA needing to shift allocations of funds between Divisions during the fiscal year.</p> <p>General funds are also being shifted as a part of this effort pursuant to an additional decision package.</p>
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Will the state incur any maintenance-of-effort or other obligations by adopting this decision package? What impact will there be on future capital and/or operating budgets if this request is or is not honored? Has a source of any such funds been identified and/or obtained by your agency?

PRIORITIZATION	<p>No new funds are requested.</p>
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If no or insufficient new funds are available in order to meet this need, how would the agency prefer to proceed? By using fund balances, generating new revenue, cutting other programs, or deferring action on this request in FY 2015-16?

AGENCY NAME:	Department of Consumer Affairs		
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INTENDED IMPACT	<p>Granting of this request would result in decreased time spent by DCA staff to adjust funding to needed areas throughout the year. Further, cost savings will be more easily identifiable per Division.</p>
------------------------	---

What impact is this decision package intended to have on service delivery and program outcomes, and over what period of time?

PROGRAM EVALUATION	<p>Effectiveness of the allocation would be evident at year end through an internal audit comparing the funding levels with actual expenditures per Division.</p>
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How would the use of these funds be evaluated? What specific outcome or performance measures would be used to assess the effectiveness of this program?

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FORM D – PROVISO REVISION REQUEST

NUMBER	80.1
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Cite the proviso according to the renumbered list for FY 2016-17 (or mark "NEW").

TITLE	Consumer Protection Code Violations Revenue
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Provide the title from the FY 2015-16 Appropriations Act or suggest a short title for any new request.

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

DECISION PACKAGE	N/A
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Is this request associated with a decision package you have submitted for FY 2016-17? 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	<p>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.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it.

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

EXPLANATION	<p>This Proviso has been in effect for over 19 years and has not been amended since that time. Retention and carry forward of these funds is critical to DCA being able to carry out its duties under its respective statutes. Currently general funds constitute only 36% of the agency's budget.</p>
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Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

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

AGENCY NAME:	Department of Consumer Affairs		
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No changes.

Funds, paid to the department in settlement 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.

**PROPOSED
PROVISO TEXT**

Paste FY 2015-16 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	80.2
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Cite the proviso according to the renumbered list for FY 2016-17 (or mark "NEW").

TITLE	Student Athlete/ Agents Registration
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Provide the title from the FY 2015-16 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.

DECISION PACKAGE	N/A
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Is this request associated with a decision package you have submitted for FY 2016-17? 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	<p>Authorizes DCA to retain funds paid under Chapter 102, Title 59 (Uniform Athlete Agents Act) for enforcement of the chapter.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it.

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

EXPLANATION	<p>This Proviso has been in effect for over 19 years and has not been amended since that time. Retention of these funds is critical to DCA being able to carry out its duties under the Athlete Agent Act. Currently general funds constitute only 36% of the agency's budget.</p>
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Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

FISCAL IMPACT	<p>Provide "other funds" to the Department in an approximate amount of \$20,000. This amount is based on the number of applications received over the past two fiscal years (biannual renewal).</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.

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

<p>PROPOSED PROVISO TEXT</p>	<p>No changes.</p> <p>Funds received by the department of Consumer Affairs pursuant to registrations under Chapter 102, Title 59 of the 1976 Code may be retained by the department for its enforcement duties relating to athlete agents and student athletes under that chapter.</p>
---	--

Paste FY 2015-16 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 2016-17 (or mark "NEW").

TITLE	Expert Witness/ Assistance Carry Forward
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Provide the title from the FY 2015-16 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.

DECISION PACKAGE	N/A
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Is this request associated with a decision package you have submitted for FY 2016-17? 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	<p>Authorizes DCA to carry forward unexpended funds appropriated for the expert witness/assistance program.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it.

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

EXPLANATION	<p>This Proviso has been in effect for over 19 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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Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

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.

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

<p>PROPOSED PROVISO TEXT</p>	<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 2015-16 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	80.4
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Cite the proviso according to the renumbered list for FY 2016-17 (or mark "NEW").

TITLE	Registered Credit Grantor Notification and Maximum Rate Filing Fees Retention
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Provide the title from the FY 2015-16 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.

DECISION PACKAGE	N/A
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Is this request associated with a decision package you have submitted for FY 2016-17? 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	<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>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it.

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

EXPLANATION	<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. Retention and carry forward of these funds is critical to DCA being able to carry out its duties under its respective statutes. Currently general funds constitute only 36% of the agency's budget.</p>
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Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

FISCAL IMPACT	<p>Provide "other funds" to the Department in an approximate amount of \$755,000. This amount is based on the average fees collected over the past 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.

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

<p>PROPOSED PROVISO TEXT</p>	<p>No changes.</p> <p>The Department of Consumer Affairs may retain all Consumer Credit Grantor Notification filing fees collected under Section 37-6-203 and all Maximum Rate Schedules filing fees collected under Section 37-2-305 and Section 37-3-305. These fees shall be used to offset the cost of administering and enforcing Chapters 2 and 3, Title 37 of the 1976 Code 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 2015-16 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	80.5
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Cite the proviso according to the renumbered list for FY 2016-17 (or mark "NEW").

TITLE	Retention of Fees
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Provide the title from the FY 2015-16 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.

DECISION PACKAGE	N/A
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Is this request associated with a decision package you have submitted for FY 2016-17? 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	<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>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it.

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

EXPLANATION	<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 general funds constitute only 36% of the agency's budget.</p>
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Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

FISCAL IMPACT	<p>Provide "other funds" to the Department in the approximate amount of \$150,000. 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.

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

<p>PROPOSED PROVISO TEXT</p>	<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>
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Paste FY 2015-16 text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.