

Agency Activity Inventory
by Agency
Appropriation Period: FY 2009-10

Agency: E08 - Secretary of State

Functional Group: Legislative,
Executive &
Administrative

114 Administration

The Administration Department of the Secretary of State provides executive leadership, policy development and implementation, legal services, financial services, information technology and human resources for the agency.

Statewide Result Area: Improve the conditions for economic growth

Strategy: Administration

FY 2009-10

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$575,212	\$282,576	\$0	\$0	\$0	\$292,636	7.00

Other Fund - Subfund No. & Title:

3035- Fax Sale of Documents

Budgetary Program No.: I.

Expected Results:

Effective and efficient administration of the agency. Ensure courteous and quick service for all customers.

Outcome Measures:

Administration oversees agency that in 08-09 brought in general fund revenue totaling over \$4.5 million, 5.9 times it's current appropriated funds. The agency operates on a very lean budget yet still provides excellent customer service. In 08-09 the agency continued to exceeded its goal of a 48 hour turnaround for business filings documents, a service which comes at a premium in other states. The agency also offers walk-in same day service for many documents.

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115 Corporations

The Corporations Division handles, reviews and processes all business filings for both South Carolina and out-of-state corporations, limited liability companies, limited partnerships, limited liability partnerships, nonprofit corporations and cooperatives. The division also handles many customer inquiries and provides a telephone customer service center. The division retrieves and provides historical documents for all entities that have registered in the office. Primary customers are law firms, CPAs, service companies and business people. The Corporations Division's activities are required by S.C. Code Title 33

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(the corporate code) particularly Chapters 1- 19, 31, 42, 44 and 45-49.

Statewide Result Area: Improve the conditions for economic growth

Strategy: Provide for a reasonable and safe business regulatory environment.

FY 2009-10

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$600,409	\$235,480	\$0	\$0	\$0	\$364,929	7.00

Other Fund - Subfund No. & Title:

3035- Fax Sale of Documents

Budgetary Program No.: I.

Expected Results:

Quick, efficient review and filing of corporate documents. Speedy customer service, particularly in phone room. Timely retrieval of corporate documents for customers.

Outcome Measures:

Total filings for 08-09 were 59,102. The division also processes all certificate requests and document copy requests. The division continues to exceed its goal of a 48 hour turnaround for these documents. In addition, the division operated a business filings phone center and routinely maintains customer call wait times under 2 minutes.

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116 Uniform Commercial Code

The Uniform Commercial Code Division handles, reviews and processes all Uniform Commercial Code filings for customers, particularly banks, financial institutions and law firms. The division also processes customer search requests for documents necessary for financing transactions. This division's activities are mandated by S.C. Code Title 36, Chapter 9.

Statewide Result Area: Improve the conditions for economic growth

Strategy: Provide for a reasonable and safe business regulatory environment.

FY 2009-10

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$290,596	\$47,096	\$0	\$0	\$0	\$243,500	4.00

Other Fund - Subfund No. & Title:

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3037-Unifrom Commercial Code (\$120,000) 3035-Fax Sale of Documents (\$123,500)

Budgetary Program No.: I.

Expected Results:

Quick, efficient review and filing of Uniform Commercial Code documents. Accurate search requests completed in order to insure quality financial transactions.

Outcome Measures:

Total filings for 08-09 were 103,629 which includes over 50,000 document searches.

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117 Notaries and Apostilles

This division receives, reviews and files all notary applications. Also, this division reviews all documents submitted for apostille and apostilles those that are appropriate. The statutory mandate for this division is Title 26, chapters 1 and 3.

Statewide Result Area: Improve the conditions for economic growth

Strategy: Provide for a reasonable and safe business regulatory environment.

FY 2009-10

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$72,096	\$47,096	\$0	\$0	\$0	\$25,000	1.00

Other Fund - Subfund No. & Title:

3035-Fax Sale of Documents

Budgetary Program No.: I.

Expected Results:

Speedy and courteous handling of notary applications and questions and with documents to be apostilled.

Outcome Measures:

Total notary filings for 08-09 were 14,519. Total apostille/certification filings - 15,321. Duties also shared with Boards & Commissions, see below.

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118 Boards, Commissions, Acts & Resolutions

This division receives, reviews and files all appointments to all boards and commissions. The division also files all acts and resolutions. Duties are statutorily required by S.C. Code 1-5-40.

Statewide Result Area: Improve the conditions for economic growth

Strategy: Provide for a reasonable and safe business regulatory environment.

FY 2009-10

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$47,096	\$47,096	\$0	\$0	\$0	\$0	1.00

Other Fund - Subfund No. & Title:

Budgetary Program No.: I.

Expected Results:

Accurate filing of all acts, resolutions and orders and of all appointments to boards and commissions, including bonds and oaths.

Outcome Measures:

Total filings for 08-09 - 5,157. Duties shared with Notaries & Apostilles, see above.

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119 Charities, Special Purpose Districts, Municipal Incorporations and Annexations

This division's primary responsibility is the registration and regulation of all public charities soliciting in South Carolina, including all persons and entities fundraising on their behalf. Duties include review of all registration statements, annual financial reports and joint financial reports. The division also includes two investigators who review and investigate all matters concerning charitable solicitations. One employee in this division does have an additional duty to maintain all registrations and applications for special purpose districts, municipal incorporations and annexations. The charities division statutory authority is Title 33, Chapter 56. Special purpose districts - Title 6, Chapter 16; municipal incorporations - Title 5, Chapter 1; annexations - Title 5, chapter 3.

Statewide Result Area: Improve the conditions for economic growth

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Strategy: Provide for a reasonable and safe business regulatory environment.

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Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$550,000	\$0	\$0	\$0	\$0	\$550,000	6.00

Other Fund - Subfund No. & Title:

3858- Public Charities

Budgetary Program No.: I.

Expected Results:

Responsible, efficient oversight of more than 8,000 charities and 2,300 professional solicitors (includes individuals). Accurate review of financial reports. Aggressive investigation of solicitors who mislead the public about charitable donations. Prompt filing of special purpose district, municipal incorporation employment agency license applications, and annexation documents.

Outcome Measures:

This division handled 14,701 filings in 08-09. This included 4,994 charity registrations and exemption filings, 1,621 professional fundraiser/solicitor registrations, and 5,284 annual financial reports filed. The division collected \$152,563 in fine revenue from late reports and court actions against fraudulent telemarketers. The division also filed the following: Special purpose district filings 205, Employment agencies 149, and annexations 229.

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120 Trademarks, Service of Process, Employment Agencies, and Business Opportunities

This division handles the other registration, legal and investigative duties of the office. The division receives, processes and reviews applications and licenses for trademarks, employment agencies and business opportunities. One employee also investigates complaints concerning trademark violations, employment agencies violations and business opportunity fraud. Division also handles service of process on foreign corporations not authorized to do business in South Carolina. Statutory duties are found in S.C. Code 39-15-1110 (trademarks), 15-9-245 (service of process), 41-25-110 (employment agencies) and 39-57-40 (business opportunities).

Statewide Result Area: Improve the conditions for economic growth

Strategy: Provide for a reasonable and safe business regulatory environment.

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Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$72,096	\$47,096	\$0	\$0	\$0	\$25,000	2.00

Other Fund - Subfund No. & Title:

3035-Fax sale of documents

Budgetary Program No.: I.

Expected Results:

Prompt review of all trademark registrations and business opportunity applications. Cooperation with law enforcement in investigation of counterfeit goods cases and confiscation of counterfeit goods. Timely review of lawsuits against foreign corporations served on Secretary of State.

Outcome Measures:

Total trademarks filings for 08-09 - 1,070. Total business opportunities filings - 153. Total service of process - 814 which were all processed within the agency guidelines of 10 days. The Trademarks division also assisted law enforcement in the confiscation of over \$4.8 million in counterfeit goods and 78 arrests resulting in 33 convictions in 08-09.

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1658 Computer System upgrade

These funds will be used to provide the most effective and efficient technology solutions for the office and our customers.

Statewide Result Area: Improve the conditions for economic growth

Strategy: Provide for resources and infrastructure for a more skilled and prepared workforce.

FY 2009-10

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$100,000	\$0	\$0	\$0	\$0	\$100,000	0.00

Other Fund - Subfund No. & Title:

3035- Fax sale of documents

Budgetary Program No.: I.

Expected Results:

This activity will allow our customers to access and file documents via the internet allowing customers immediate access to documents and reducing the administrative burden on the office. Personnel and operating expenses can

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then be shifted to other rapidly growing areas of the office.

Outcome Measures:

This multiyear project will provide customers immediate access to Agency databases and images via the Internet as well as the ability to file some documents electronically. In 08-09 the online charities filing project was completed, the basic infrastructure and storage solution was updated, and back-up solutions were improved. The agency plans for additional online services in the current FY.

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1788 Cable Franchise Authority

The division is responsible for processing all requests for cable franchises and issuing certificates of authority according to section 58-12-310 of SC state law.

Statewide Result Area: Improve the conditions for economic growth

Strategy: Provide for a reasonable and safe business regulatory environment.

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Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$47,096	\$47,096	\$0	\$0	\$0	\$0	1.00

Other Fund - Subfund No. & Title:

3035- Fax Sale of Documents

Budgetary Program No.: I.

Expected Results:

All applications shall be processed fully within the time limitations set forth by law.

Outcome Measures:

In FY 08-09 the agency processed 106 cable franchising applications, issued 39 certificates of franchise authority, and 263 service area schedules. All applications were accurately processed within the time frames allowed.

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9998 4.04% Mid-Year Reduction

4.04% Mid-Year Reduction

Statewide Result Area: Improve the conditions for economic growth**Strategy:** FY 2009-10 4.04% Mid-Year Reduction**FY 2009-10**

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
(\$30,422)	(\$30,422)	\$0	\$0	\$0	\$0	0.00

Other Fund - Subfund No. & Title:

NA

Budgetary Program No.: NA**Expected Results:**

NA

Outcome Measures:

NA

AGENCY TOTALS*Secretary of State*

TOTAL AGENCY FUNDS	TOTAL GENERAL FUNDS	TOTAL FEDERAL FUNDS	TOTAL OTHER FUNDS
\$2,324,179	\$723,114	\$0	\$1,601,065
	TOTAL NON-RECURRING FUNDS	TOTAL PART III FUNDS	TOTAL FTEs
	\$0	\$0	29.00