

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



**Fiscal Year 2020-21
Agency Budget Plan**

FORM A - BUDGET PLAN SUMMARY

**OPERATING
REQUESTS
(FORM B1)**

For FY 2020-21, my agency is (mark "X"):	
<input checked="" type="checkbox"/>	Requesting General Fund Appropriations.
<input checked="" type="checkbox"/>	Requesting Federal/Other Authorization.
<input type="checkbox"/>	Not requesting any changes.

**NON-RECURRING
REQUESTS
(FORM B2)**

For FY 2020-21, my agency is (mark "X"):	
<input type="checkbox"/>	Requesting Non-Recurring Appropriations.
<input type="checkbox"/>	Requesting Non-Recurring Federal/Other Authorization.
<input checked="" type="checkbox"/>	Not requesting any changes.

**CAPITAL
REQUESTS
(FORM C)**

For FY 2020-21, my agency is (mark "X"):	
<input type="checkbox"/>	Requesting funding for Capital Projects.
<input checked="" type="checkbox"/>	Not requesting any changes.

**PROVISOS
(FORM D)**

For FY 2020-21, my agency is (mark "X"):	
<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.

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

	<i>Name</i>	<i>Phone</i>	<i>Email</i>
PRIMARY CONTACT:	Carri Grube Lybarker	803-734-4297	CLybarker@scconsumer.gov
SECONDARY CONTACT:	Celeste Brown	803-734-4264	CBrown@scconsumer.gov

I have reviewed and approved the enclosed FY 2020-21 Agency Budget Plan, which is complete and accurate to the extent of my knowledge.

	<i>Agency Director</i>	<i>Board or Commission Chair</i>
SIGN/DATE:		
TYPE/PRINT NAME:	Carri Grube Lybarker 09/19/19	David Campbell

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

Fiscal Year 2020-21 Budget Request Executive Summary

Agency Code: R280
 Agency Name: Department Of Consumer Affairs
 Section: 80

BUDGET REQUESTS			FUNDING					FTES				
Priority	Request Type	Request Title	State	Federal	Earmarked	Restricted	Total	State	Federal	Earmarked	Restricted	Total
1	B1 - Recurring	Advocacy Paralegal and Expert Witness Funding	256,000				256,000	1.00				1.00
2	B1 - Recurring	Personal Services			35,000		35,000					0.00
3	B1 - Recurring	Operating Expenses			13,000		13,000					0.00
4	B1 - Recurring	Other Funds Cost of Living, Retirement, Health and Dental Increases			85,580		85,580					0.00
5							0					0.00
6							0					0.00
7							0					0.00
8							0					0.00
9							0					0.00
10							0					0.00
11							0					0.00
12							0					0.00
13							0					0.00
14							0					0.00
15							0					0.00
16							0					0.00
17							0					0.00
18							0					0.00
19							0					0.00
20							0					0.00
21							0					0.00
22							0					0.00
23							0					0.00
24							0					0.00
25							0					0.00
26							0					0.00
27							0					0.00
28							0					0.00
29							0					0.00
30							0					0.00
TOTAL BUDGET REQUESTS			256,000	0	133,580	0	389,580	1.00	0.00	0.00	0.00	1.00

AGENCY NAME:	Department of Consumer Affairs		
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FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	1
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Advocacy Paralegal and Expert Witness Funding
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$256,000 Federal: Other: Total: \$256,000
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What is the net change in requested appropriations for FY 2020-21? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	1
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark “X” for all that apply:	
	<input type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input checked="" 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
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority # _____	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark “X” for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input checked="" type="checkbox"/>	Public Infrastructure and Economic Development
<input type="checkbox"/>	Government and Citizens	

AGENCY NAME:	Department of Consumer Affairs		
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ACCOUNTABILITY OF FUNDS	<p>This increase in funds will allow the Agency to fulfill the goal of effectively administering and enforcing laws assigned to the Department to protect consumers as well as performance measures 1.3.1-1.3.3 related to DCA’s advocacy in ratemaking and price-fixing matters. <i>See H4375 (2017-2018 Legislative Session).</i></p> <p>Effectiveness would be evident at year-end through evaluation of Advocacy Division activities and outcomes, including number of rate reviews and success of interventions.</p>
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What specific strategy, as outlined in the FY 2019-20 Strategic Planning and Performance Measurement template of agency’s accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	<p>SCDCA’s Advocacy Division; expert witnesses and other professional expertise.</p>
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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?

JUSTIFICATION OF REQUEST	<p>Prior to January 1, 2005, the Department had authority to intervene in matters filed with the Public Service Commission. At one point, the Advocacy Division housed 8 FTEs and had other operating funds upwards of \$240,000. When the ability to intervene in utility rate filings was transferred, the Advocacy Division continued to fulfill the remaining job functions set forth in the Consumer Protection Code, including intervening in insurance rate filing matters and representing consumer interests in state and federal rulemaking processes. Currently, the Division houses 4 FTE positions and has other operating funds of \$60,000.</p> <p>H4375 (2018) reinstated DCA’s role in utility interventions. As we began implementation of the new responsibilities, it became apparent additional resources are needed. DCA proposes hiring a Paralegal with a salary of \$40,000, fringe of \$16,000 and additional operating expenses of \$200,000 for payment to expert witnesses and other professional expertise to assist staff in the representation of the consumer interest.</p>
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Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

AGENCY NAME:	Department of Consumer Affairs		
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FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	2
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Personal Services
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Provide a brief, descriptive title for this request.

AMOUNT	General: Federal: Other: 35,000 Total: 35,000
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What is the net change in requested appropriations for FY 2020-21? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	N/A
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input checked="" 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
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority # _____	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
<input checked="" type="checkbox"/>	Government and Citizens	

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

ACCOUNTABILITY OF FUNDS	<p>This increase in funds will allow the Agency to fulfill all goals, strategies, and objectives as set forth in its fiscal year 2019 Accountability Report.</p>
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What specific strategy, as outlined in the FY 2019-20 Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	<p>Department of Consumer Affairs employees whose compensation is supported by other funds and eligible.</p>
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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?

JUSTIFICATION OF REQUEST	<p>In FY 19, 12% of DCA staff left for higher paying jobs with other agencies or in the private sector. This is on top of the 15.5% turnover rate experienced in FY18. Providing adequate compensation is an area DCA has struggled with for many years and what we believe is a leading cause in our declining staff retention rate. Strides were made in FY15 and FY17 to catch up to at least the salary parameters deployed by sister agencies; however, some positions are still inadequately funded. Being able to adequately compensate staff for performance of job duties is essential in DCA being able to accomplish its goals and mission.</p>
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Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

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FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	3
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Operating Expenses
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Provide a brief, descriptive title for this request.

AMOUNT	General: Federal: Other: \$13,000 Total: \$13,000
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What is the net change in requested appropriations for FY 2020-21? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	N/A
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark “X” for all that apply:	
	<input checked="" 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
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority # _____	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark “X” for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
<input checked="" type="checkbox"/>	Government and Citizens	

AGENCY NAME:	Department of Consumer Affairs		
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ACCOUNTABILITY OF FUNDS	<p>This increase in funds will allow the Agency to fulfill all goals, strategies, and objectives as set forth in its fiscal year 2019 Accountability Report.</p>
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What specific strategy, as outlined in the FY 2019-20 Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	<p>Department of Consumer Affairs for payment of utilities.</p>
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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?

JUSTIFICATION OF REQUEST	<p>The Department of Consumer Affairs moved during FY 19 into a privately-owned office building. The rent does not include electricity costs. The additional authorization is requested to cover the increase in cost of electricity, which is anticipated to surpass costs previously incurred by approximately \$13,000.</p>
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Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

AGENCY NAME:	Department of Consumer Affairs		
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FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	4
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Other Funds Cost of Living, Retirement, Health and Dental Increases
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Provide a brief, descriptive title for this request.

AMOUNT	General: Federal: Other: \$85,580 Total: \$85,580
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What is the net change in requested appropriations for FY 2020-21? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	N/A
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input checked="" 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
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
	<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
	<input checked="" type="checkbox"/>	Government and Citizens

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

ACCOUNTABILITY OF FUNDS	<p>All. This increase in funds will allow the Agency to fulfill all goals, strategies, and objectives as set forth in its fiscal year 2019 Accountability Report.</p>
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What specific strategy, as outlined in the FY 2019-20 Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	<p>Department of Consumer Affairs employees whose compensation is supported by other funds as well as those other fund-funded employees eligible for health insurance and/or participating in the SCRS or PORS retirement plans.</p>
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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?

JUSTIFICATION OF REQUEST	<p>The Department of Consumer Affairs has 26 FTEs supported by other funds. The FY20 State Budget included a 2% cost of living increase (\$41,031) as well as an increase in the employer insurance costs associated with the State's Health Plan (\$14,226) and an increase in the associated costs for the State Retirement System and PORS (\$15,086). The Department's request to authorize an additional \$85,580 includes the annualized amounts for FY20 as well as the increases in retirement costs slated for FY21 (\$15,237).</p>
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Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

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

FORM D – PROVISO REVISION REQUEST

NUMBER	80.1
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Cite the proviso according to the renumbered list for FY 2020-21 (or mark "NEW").

TITLE	Consumer Protection Code Violations Revenue
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Provide the title from the FY 2019-20 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.

RELATED BUDGET REQUEST	N/A
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Is this request associated with a budget request you have submitted for FY 2020-21? 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 & EXPLANATION	<p>Authorizes DCA to retain all funds paid in the resolution of cases involving statutes enforced by the department and to use the retained funds to offset costs.</p> <p>This Proviso has been in effect for over 20 years. It received a minor clarification amendment in the FY18 Appropriations Act and has remained largely unchanged. Retention and carry forward of these funds are critical to DCA being able to carry out its duties under its respective statutes. Currently other funds constitute approximately 58% of the agency's budget.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

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

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 three 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.

PROPOSED PROVISIO TEXT	<p>(CA: Consumer Protection Code Violations Revenue) Funds, paid to the department in resolution 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.</p>
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Paste FY 2019-20 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 – PROVISIO REVISION REQUEST

NUMBER	80.2
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Cite the proviso according to the renumbered list for FY 2020-21 (or mark "NEW").

TITLE	Expert Witness/ Assistance Carry Forward
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Provide the title from the FY 2019-20 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.

RELATED BUDGET REQUEST	N/A
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Is this request associated with a budget request you have submitted for FY 2020-21? 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 & EXPLANATION	<p>Authorizes DCA to carry forward unexpended funds appropriated for the expert witness/assistance program.</p> <p>This Proviso has been in effect for over 20 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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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

AGENCY NAME:	Department of Consumer Affairs		
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FISCAL IMPACT	No impact
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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.

PROPOSED PROVISIO TEXT	(CA: Expert Witness/Assistance Carry Forward) 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.
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Paste FY 2019-20 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 2020-21 (or mark "NEW").

TITLE	Registered Credit Grantor Notification and Maximum Rate Filing Fees Retention
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Provide the title from the FY 2019-20 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.

RELATED BUDGET REQUEST	N/A
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Is this request associated with a budget request you have submitted for FY 2020-21? 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 & EXPLANATION	<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> <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.</p> <p>The Proviso was updated in 2018-2019 Appropriations Act as portions were previously codified and the Department proposed referencing Chapters instead of sections to permit retention of all filing fees collected therein and avoid the need to amend the proviso as amendments or codification occurs.</p> <p>Retention and carry forward of these funds are critical to DCA being able to carry out its duties under its respective statutes. Currently other funds constitute approximately 58% of the agency's budget.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

AGENCY NAME:	Department of Consumer Affairs		
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FISCAL IMPACT	<p>Provide "other funds" to the Department in an approximate amount of \$590,000. This amount is based on the average fees collected over the past three fiscal years for the credit grantor notification program and the motor vehicle closing fee program.</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.

PROPOSED PROVISO TEXT	<p>(CA: Registered Credit Grantor Notification and Maximum Rate Filing Fees Retention) The Department of Consumer Affairs may retain all filing fees collected under Chapters 2, 3 and 6, Title 37 of the 1976 Code. These fees shall be used to offset the cost of administering and enforcing Title 37 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 2019-20 text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

AGENCY NAME:	Department of Consumer Affairs		
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FORM D – PROVISO REVISION REQUEST

NUMBER	80.4
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Cite the proviso according to the renumbered list for FY 2020-21 (or mark "NEW").

TITLE	Retention of Fees
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Provide the title from the FY 2019-20 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.

RELATED BUDGET REQUEST	N/A
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Is this request associated with a budget request you have submitted for FY 2020-21? 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 & EXPLANATION	<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> <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 other funds constitute approximately 58% of the agency's budget.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

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

FISCAL IMPACT	<p>Provide "other funds" to the Department in the approximate amount of \$140,000. 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.

PROPOSED PROVISIO TEXT	<p>(CA: Retention of Fees) 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 2019-20 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

SUMMARY	<p>DCA receives the majority of its funding through other funds (58%). Seventy-nine percent of the agency's total budget is used for salaries and fringe. Of the general fund appropriations received, 73% are allocated for personnel expenses and the remaining 27% for operating costs. We currently have 44 FTE positions as compared to our pre-RIF (FY10) allocation of 68 FTEs. DCA is not in a position to delete any FTE positions, thus if a 3% reduction of general fund appropriations is implemented DCA would reduce operating expenses agency-wide.</p> <p>The decrease would result in DCA limiting training opportunities and travel for attorneys, investigators and other agency staff. The impact would be a potential lack of knowledge/keeping abreast of changes in Federal laws applicable to the regulatory statutes the agency administers and enforces, including Truth in Lending and mortgage related laws. Further, the majority of DCA's attorneys in the Legal Division have been with the agency for three years or less, thus training is of ever greater importance.</p> <p>The decrease would also affect agency outreach efforts. DCA has the responsibility of counseling consumers and businesses on their rights and responsibilities under consumer protection laws. Agency consumer and business information campaigns often include printed materials, media buys and statewide presentations. Reducing these items would result in a reduction of compliance and knowledge of consumer protection laws, negatively impacting the consumer credit marketplace.</p>
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Please provide a detailed summary of service delivery impact caused by a reduction in General Fund Appropriations and provide the method of calculation for anticipated reductions. Agencies should prioritize reduction in expenditures that have the least significant impact on service delivery.

AGENCY COST SAVINGS PLANS	N/A
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What measures does the agency plan to implement to reduce its costs and operating expenses by more than \$50,000? Provide a summary of the measures taken and the estimated amount of savings. How does the agency plan to repurpose the savings?

AGENCY NAME:	Department of Consumer Affairs		
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FORM F – REDUCING COST AND BURDEN TO BUSINESSES AND CITIZENS

TITLE	Agency Efficiencies
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Provide a brief, descriptive title for this request.

EXPECTED SAVINGS TO BUSINESSES AND CITIZENS	<p>DCA will be able to process applications faster to enable businesses to quickly enter the marketplace, DCA can process complaints faster and have complaint and licensing systems open for customers 24/7. Businesses will spend less time submitting regulatory applications and responses to complaints, easier ability for all customers to ascertain applicable laws. DCA processes and business responsibilities are clear. Users can more easily navigate DCA’s new website, developed at no cost.</p>
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What is the expected savings to South Carolina’s businesses and citizens that is generated by this proposal? The savings could be related to time or money.

FACTORS ASSOCIATED WITH THE REQUEST	<p>Mark “X” for all that apply:</p> <table border="1"> <tr> <td style="background-color: #cccccc;"><input checked="" type="checkbox"/></td> <td>Repeal or revision of regulations.</td> </tr> <tr> <td style="background-color: #cccccc;"><input type="checkbox"/></td> <td>Reduction of agency fees or fines to businesses or citizens.</td> </tr> <tr> <td style="background-color: #cccccc;"><input checked="" type="checkbox"/></td> <td>Greater efficiency in agency services or reduction in compliance burden.</td> </tr> <tr> <td style="background-color: #cccccc;"><input type="checkbox"/></td> <td>Other</td> </tr> </table>	<input checked="" type="checkbox"/>	Repeal or revision of regulations.	<input type="checkbox"/>	Reduction of agency fees or fines to businesses or citizens.	<input checked="" type="checkbox"/>	Greater efficiency in agency services or reduction in compliance burden.	<input type="checkbox"/>	Other
<input checked="" type="checkbox"/>	Repeal or revision of regulations.								
<input type="checkbox"/>	Reduction of agency fees or fines to businesses or citizens.								
<input checked="" type="checkbox"/>	Greater efficiency in agency services or reduction in compliance burden.								
<input type="checkbox"/>	Other								

METHOD OF CALCULATION	Use of agency accountability reports, comparison with prior technologies implemented and associated results. Data analytics from underlying programs.
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Describe the method of calculation for determining the expected cost or time savings to businesses or citizens.

REDUCTION OF FEES OR FINES	N/A. DCA does not the ability to adjust licensing fees on its own authority, a power given other agencies in the regulation of non-depository financial institutions.
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Which fees or fines does the agency intend to reduce? What was the fine or fee revenue for the previous fiscal year? What was the associated program expenditure for the previous fiscal year? What is the enabling authority for the issuance of the fee or fine?

REDUCTION OF REGULATION	Review in process.
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Which regulations does the agency intend to amend or delete? What is the enabling authority for the regulation?

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

SUMMARY

DCA began a five-year regulation review in FY13 to ensure appropriate guidance to regulated entities, that regulations do not conflict with corresponding statutes and are not obsolete. The review ended in FY18 and resulted in the deletion of eight regulations, amendments to eighteen and one new regulation created. A new review began in FY19.

The Department has also employed new technologies to increase efficiencies for all customers and lessen business burden over the past few years:

- DCA launched a new, modernized website in December 2018. The clean, streamlined design offers improved navigation to the many tools available for our customers. The launch was in partnership with SC.GOV and provided at no cost to DCA. Staff continues to review website analytics to promote continuous improvement of the site.
- In February 2017, the agency received approval for next phase of changes for the online complaint system powered by SC.GOV. Some revisions have already been made. Additional updates will decrease DCA staff burden and increase ease of use for front-end users. The updates are provided at no cost to DCA. Full deployment is anticipated by Q2 FY21.
- 57% of the regulatory programs administered by DCA are now live on the agency's online licensing database. The remainder are set to launch throughout FY20.

The use of technology has enabled staff to provide more expedient and efficient services. In FY19, the Consumer Services Division processed complaints in 32 days, on average, as compared to the 45-55 day timeframe existing pre-complaint system deployment. The Consumer Services Division obtained credits, refunds and adjustments for consumers exceeding the Division's budget by more than \$240,000. The Legal Division's Licensing System deployment has returned similar results in decreasing processing times. In FY19, for the programs available online, 85% of businesses chose to use the online system. Staff was able to process 95% within thirty days of receipt of a complete application without the need for additional personnel. We anticipate this number to increase as additional programs go live.

Provide an explanation of the proposal and its positive results on businesses or citizens. How will the request affect agency operations?