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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT
Ralph King Anderson, III, Chief Administrative Law Judge

Appellate Case No. 2019-001706
Trial Court Case No. 17-ALJ-17-0238-CC

Amazon Services, LLC, ... Appellant,
v.
South Carolina Department of Revenue, ... Respondent.

**RECORD ON APPEAL
VOLUME V of VI**

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House Legislative Oversight Committee

South Carolina Department Of Revenue

June 18, 2018

Director Hartley Powell

**Hearing
Exhibit
202**

Agenda

- Historical Highlights
- Mission, Vision, Strategic Goals, and Stakeholders
- By the Numbers
- Organization
 - Successes
 - Challenges
 - Emerging Issues
- Recommended Law Changes
- Questions

With You Today



W. Hartley Powell
Director



Meredith Cleland
Deputy Director
Government Services



Ashley Thomas
Deputy Director
Communications & Strategic
Initiatives



Laura Watts
Deputy Director
Administrative Services



Virginia Wetzel
Legislative Services



Jenna Crum
Human Resources Director



Matthew Norman
Controller

Historical Highlights

1915

Gov. Richard Manning created the South Carolina Tax Commission with 3 governor-appointed commissioners and 1 employee to execute the equitable assessment of property for taxation.

1993

Merged with the licensing arm of the Alcohol Beverage Control Commission.

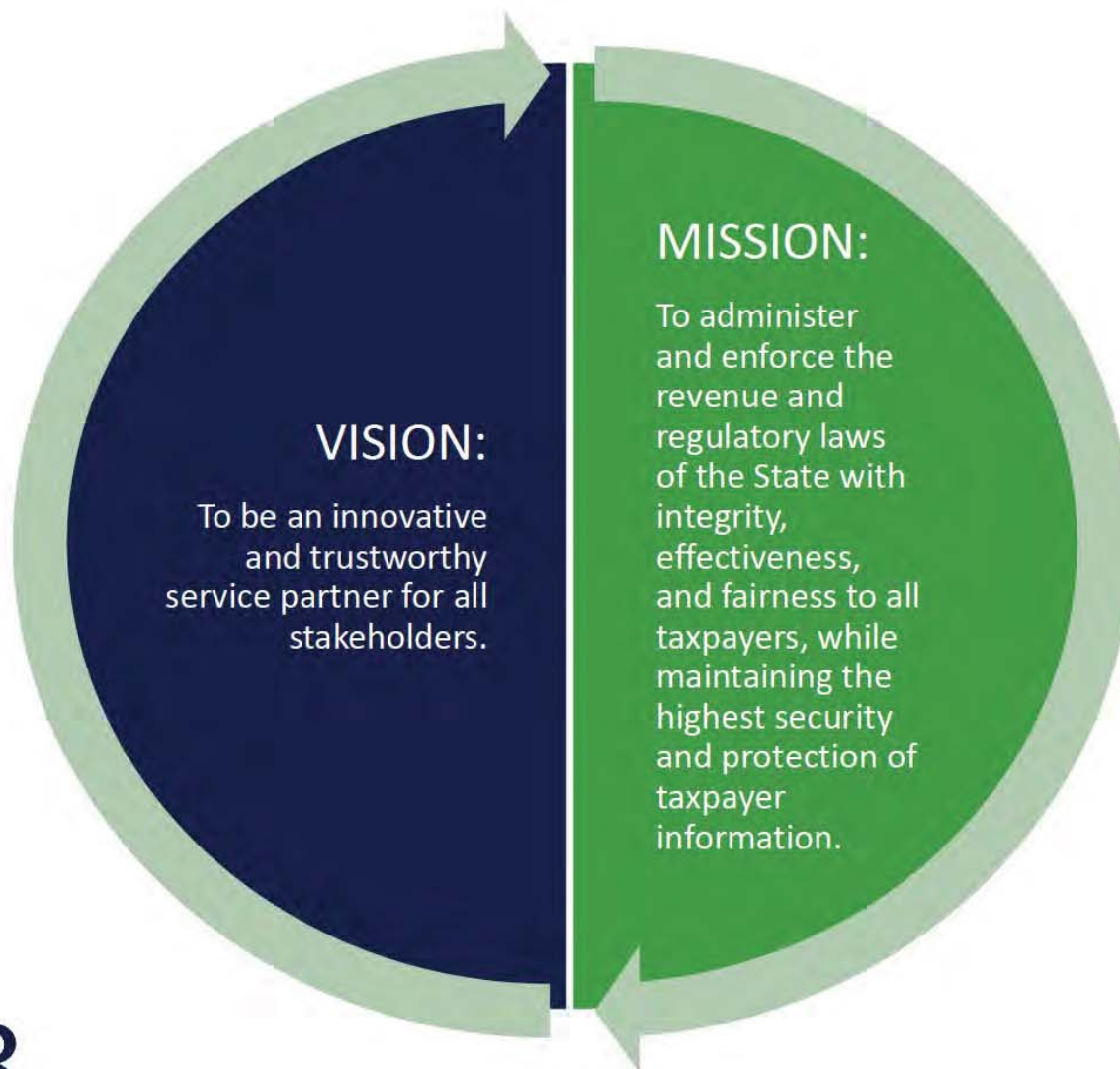
1995

SC Legislature dissolved the Tax Commission and created a cabinet agency – the South Carolina Department of Revenue – with a governor-appointed director.

2018

The SCDOR currently administers 72 taxes and fees and collects 95% of the State's General Fund. The SCDOR has over 760 employees and 6 offices across the state.





SCDOR Strategic Goals

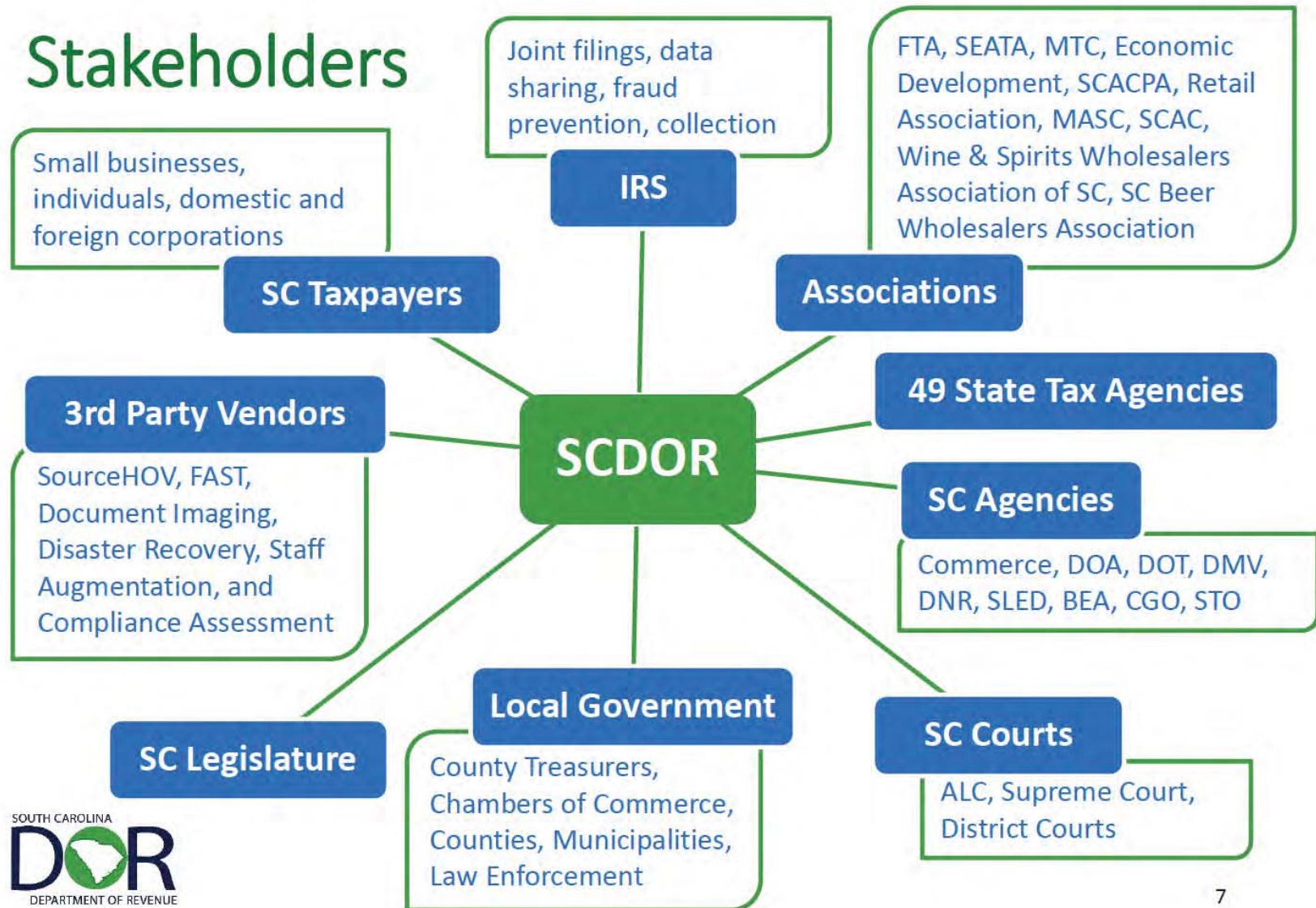
- 1 Fairly administer and enforce the revenue and regulatory laws of the State of South Carolina

- 2 Ensure taxpayer security by utilizing state-of-the-art technology

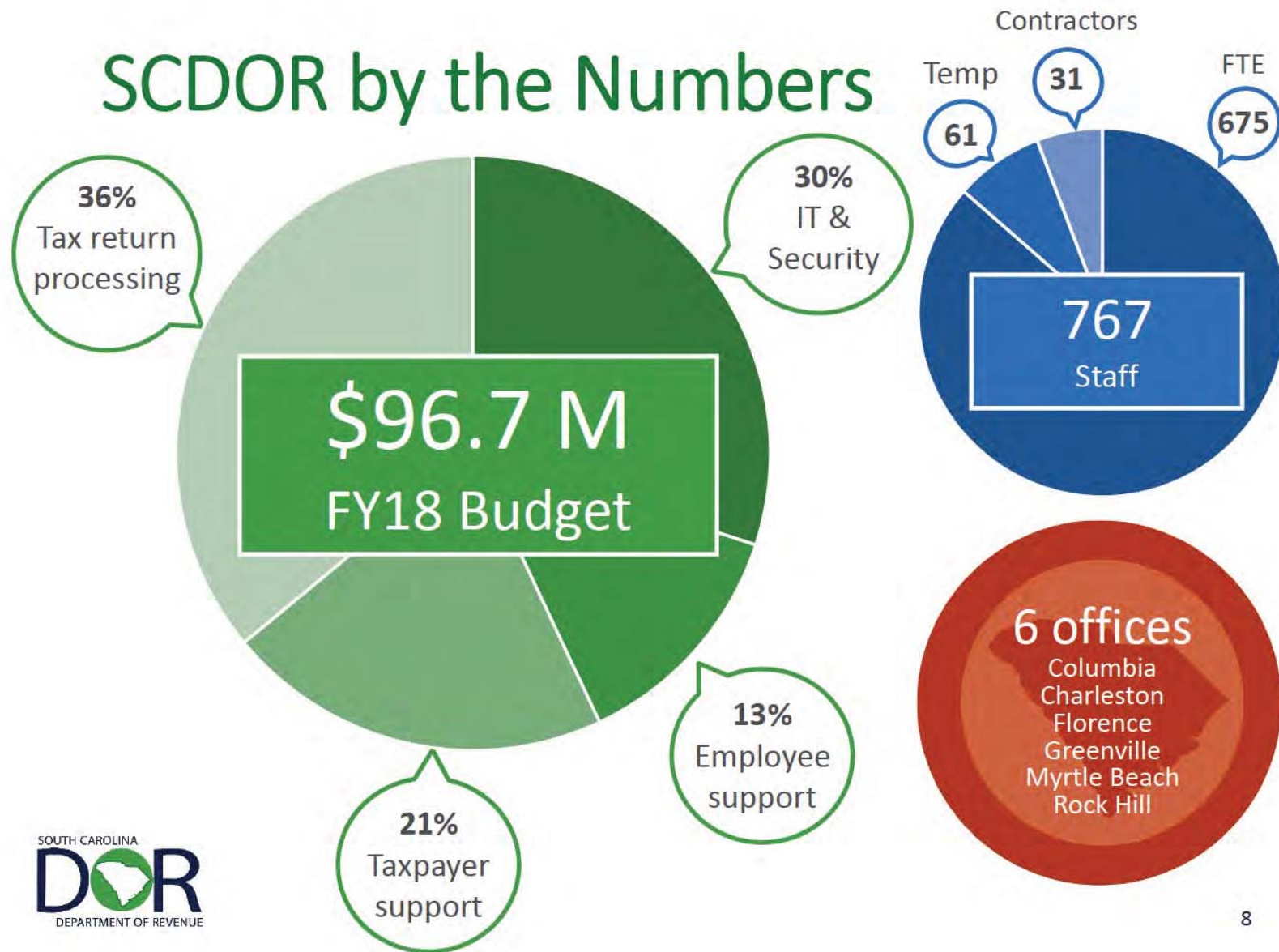
- 3 Maintain a positive customer service experience for all stakeholders

- 4 Promote and maintain a competent, productive, and diverse workforce

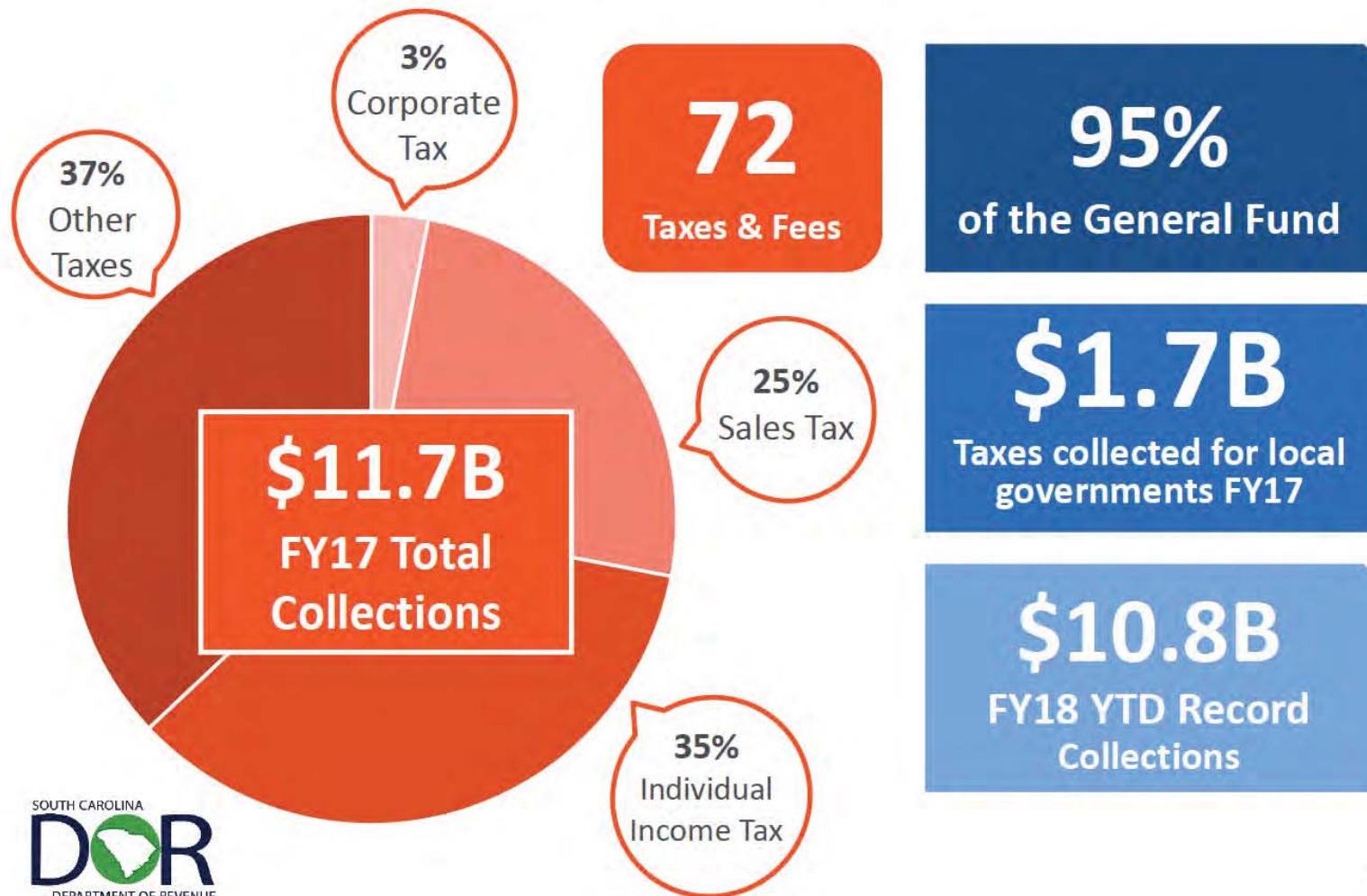
Stakeholders



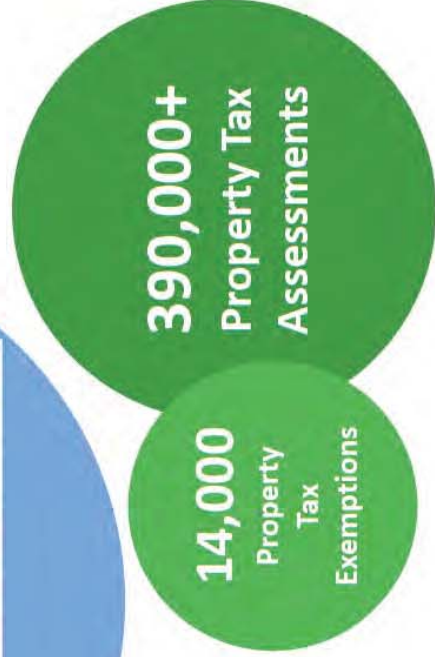
SCDOR by the Numbers



Revenue Collections



Tax Processing



Audits & Appeals

Completed Audits



Assessments



70 Active Appeals

Taxpayers Served



1,500+
Taxpayer
Advocate

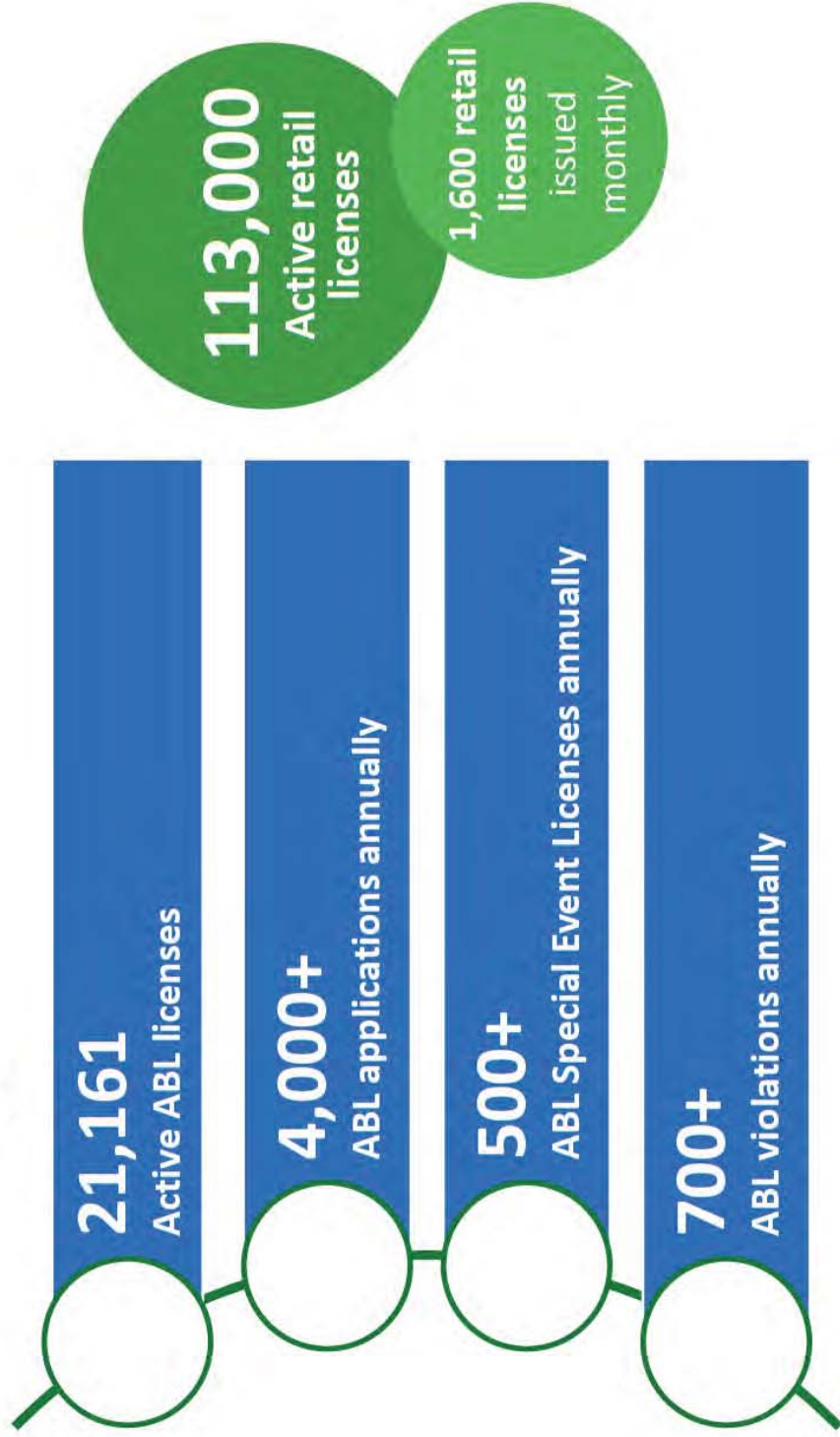
Managing
more than
550,000
tax accounts

Litigation & Policy

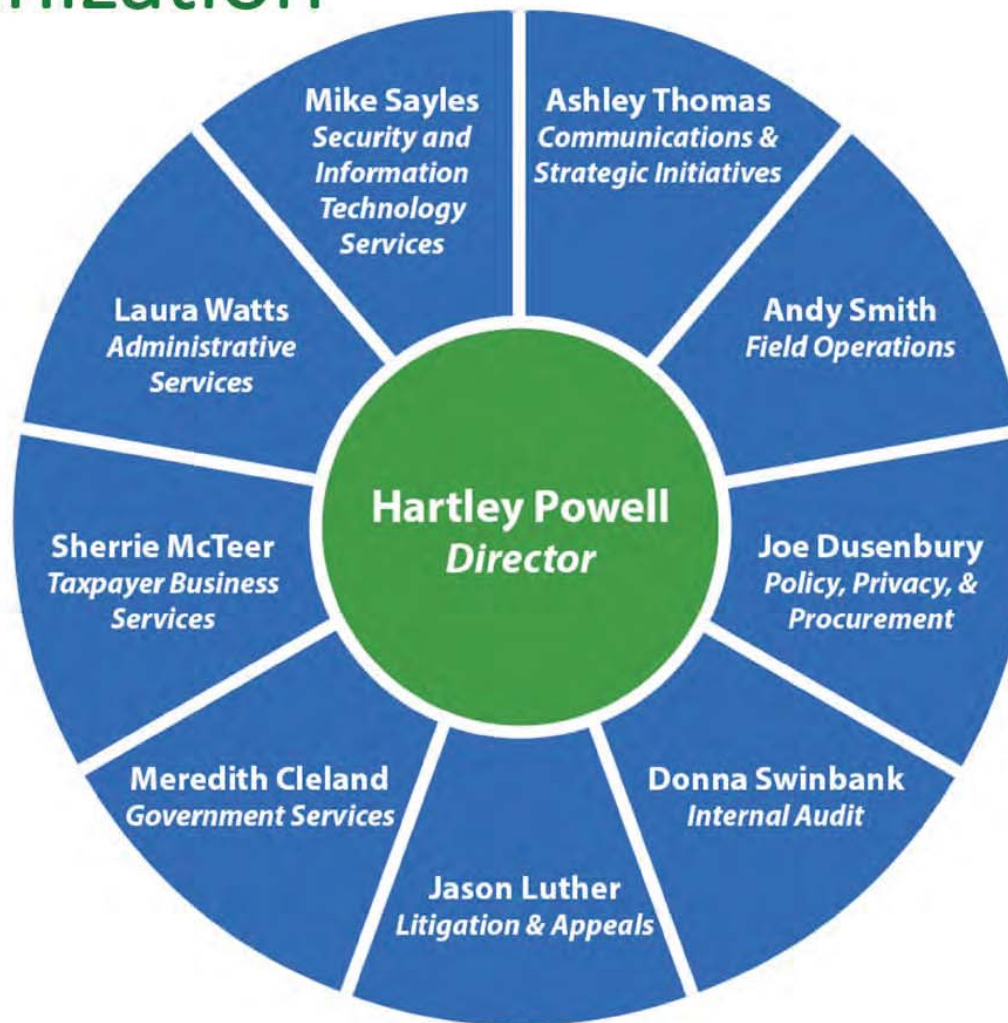


2017	6,106	Bankruptcy petitions
2017	1,529	Foreclosure actions
FY17	892	Legislative questions reviewed
FY17	730	TP issues resolved Advisory Opinions
FY17	120	Proposed statutes & regulations drafted

Licensing



Organization



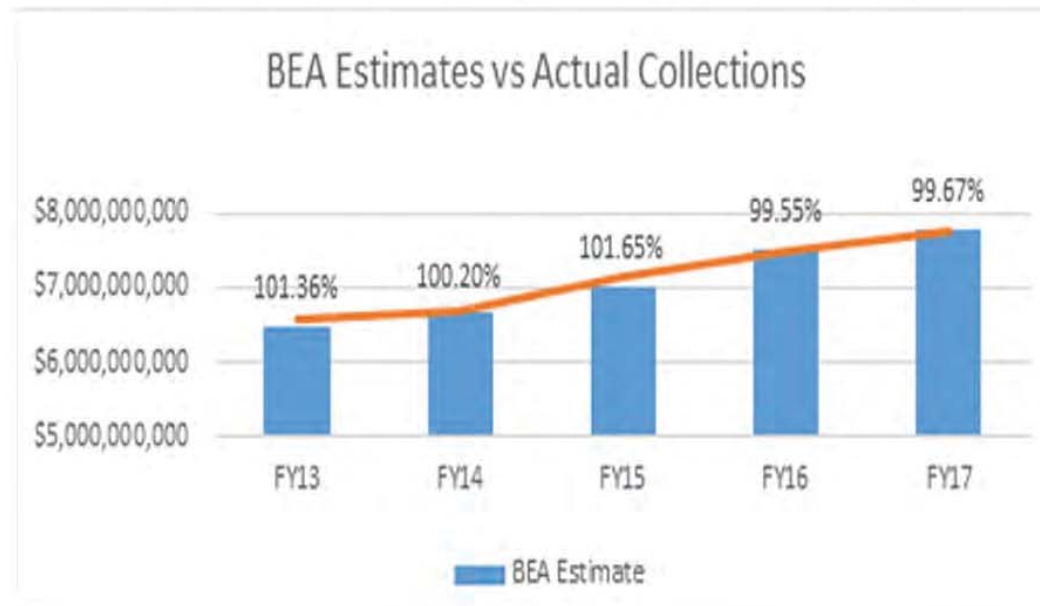
Internal Audit

- 1. Unrestricted access to the entire Agency reporting directly to the Agency Director**
- 2. 6 Experienced Internal Audit professionals**
 - Recognized certifications: CPA, CIA, CBA, CISA, CGAP
 - Active participation: International, National, and State IA Associations
 - 4 board members: 3 state and 1 international
 - IRS selected our audit program as official template in 2016
- 3. 80+ Audits/reviews in last 5 years:**
 - Compliance – Security practices, IRS inspections, IT processes, user rights
 - Financial – P-Cards, petty cash, payroll, accounts payable, cell phone usage, travel expenses, tax collection process, employee tax compliance
 - Special Reviews – Richland County, Farm Aid, MUSC peer review, HR matters
 - Special Audits – IRS, State Auditor’s Office, State Financial Report (CAFR), credit card compliance (PCI DSS)
 - Risk Assessments – annual review of agency divisions (SWOT analysis) highlight risks, recommendations, and remedies

Successes, Challenges, & Emerging Issues

Success: Collections

- FY17 record year for total collections - \$11.7 Billion
- On track for another record year
- BEA sets annual goal for General Fund Collections
- BEA FY18 Goal = \$8.1 Billion
- Actual FY18 Collections YTD (through May) = \$7.4 Billion



Achieving Collections Success

- 1. Voluntary compliance accounts for majority of collections**
- 2. Achieve compliance through education, easy access, and personal interaction**
 - Policy documents
 - Call center
 - In-person assistance
 - Publications – traditional and digital
 - Website and social media
 - Training seminars and webinars
 - DORWAY – tax processing system

Achieving Collections Success

- 1. In 2016, evaluated collection efforts and identified 3 key strategies:**
 - Automated Routine Collection Cases
 - Focus time and efforts on complex, high value cases
 - Established Performance Measures
 - Common measures across the state to track progress
 - Increased Accountability
 - Tied goals to annual employee evaluations
- 2. Small number resisted the change, but majority embraced it**
- 3. Changes are paying off:**
 - 95% of employees meeting/exceeding performance goals
 - Closing an average of 38% more cases each month
 - Monthly collection revenues have increased by 68%



Success: Modernized Tax Processing

1. **DORWAY is SCDOR's new state-of-the-art integrated tax processing system**

- Consolidated three legacy systems into ONE
- Designed with taxpayer at its center
- Security at its core
- Four-year design/implementation

2. **Online portal called MyDORWAY for public**

- Every taxpayer has personal account to file, pay, and manage all South Carolina taxes.
- Convenient, accurate, and secure – 24-7 access. Just like online banking – anytime, any day!



Success: Improved Security on All Fronts

1. **Security at SCDOR is non-negotiable! Committed to protecting taxpayers and employees**
2. **Physical Security – all SCDOR offices have:**
 - Full-time security law enforcement staff
 - Metal detectors installed in lobbies
 - Video camera monitoring
 - Badge swipe door entry for all employee entrances
3. **Cybersecurity – “military-grade” controls**
 - Security architecture and protocols maintained beyond state and federal standards
 - Partner with DIS to coordinate security operations in concert with state’s IT strategic plan
 - Require year-round security training and certification
 - External reviews – IRS Audits, security consultants

Challenge: Mitigating Security Risks

- 1. Hacking methods are continuously changing, requiring:**
 - Continuous investments in staff training time
 - Technology improvements
 - Security oriented vendor management
- 2. Maintaining a skilled cybersecurity workforce is a continuous challenge**
 - Small talent pool and private industry competition
- 3. Negotiating and enforcing formal vendor agreements with strong contractual security terms is an on-going challenge**

Challenge: Fighting Tax Refund Fraud

- 1. Fighting tax refund fraud is a continuous challenge**
 - The IRS expects tax refund fraud to hit \$21B this year up from \$6.5B two years ago – a national epidemic
 - \$11.5M in Individual Income Tax refund fraud identified in 2016
- 2. Secured leading provider of fraud detection services to enhance our predictive analytics technology and strengthen efforts to fight fraud**
 - Enhanced fraud measures: identity verification quizzes and individual code verifications
- 3. Fraudsters continually employ new tactics, so we have to stay ahead of them**

Challenge: Conformity

1. **Congress passed the Tax Cuts and Jobs Act end of 2017. Since 1985 - SC has conformed to the federal code.**
2. **If nonconformity, then SC taxpayers need working knowledge of 2 sets of federal laws:**
 - A federal return using 2017 federal tax laws
 - A SC return using 2016 federal tax laws
 - No longer use federal taxable income as a starting point for SC return
 - Must recalculate current federal taxable income to comply with 2016 federal tax laws
 - May require up to 30 adjustments to begin SC return

Consequences of Nonconformity

1. SC taxpayers will no longer utilize IRS guidance to complete SC tax return
2. SC tax system moves from one of the simplest to one of the most complex in the US
3. SC taxpayers will be “stuck” in time relying on 2016 federal tax laws
4. Must prepare two federal returns – actual and dummy
5. SCDOR no longer able to utilize federal audit data to ensure compliance and collections

Increase Complexity = Decrease Compliance = Less Revenue



Emerging Issue: Taxation of Online Retail Sales

1. 38% of state budget funded by Sales and Use Tax

- Online retail sales growing
- Brick and mortar declining
- Many online retailers avoid paying Sales Tax

2. Amazon is a prime example

- Currently in litigation over third-party sellers
- \$57 million in Sales Tax owed for 2016

3. Need legislative change

- Ensure online “marketplace” retailers collect/remit Sales Tax
- Arizona, Minnesota, Washington, and North Dakota enacted “marketplace” legislation

Emerging Issue: Technology Advancements

1. Taxpayers and employees - demanding innovative technology enhancements

- To ensure continued taxpayer compliance, must meet taxpayers where they are
- Tech-savvy generation of taxpayers
- They are demanding cutting edge technology

2. Technology tools

- Tablets for our field workers
- Completely mobile-friendly tax returns
- Mobile-first website
- Voice search optimization
- Online chat
- Secure online filing stations for taxpayers at every office



“We can’t be satisfied with the status-quo.”

Emerging Issue: Alcohol Beverage License Regulation and Enforcement

- 1. Statutory scheme for regulating alcoholic beverages is 40+ years old**
- 2. Currently South Carolina judges have complete discretion to determine ABL penalties**
 - SCDOR Penalty Guidelines issued in 1995 often ignored
 - No statutory authority directing courts to follow Penalty Guidelines
 - Courts routinely impose more lenient penalties
- 3. Need legislative change**
 - Adopt minimum/maximum penalties to ensure consistency for all taxpayers

Recommended Law Changes

1. **Financial Institutions:** Allow SCDOR to participate in the Financial Institution Data Match (FIDM) program.
2. **Tax Liens:** Allow SCDOR to implement a centralized system of filing and indexing of tax liens.
3. **Alcohol Beverage Modernization – Festivals:** Allow SCDOR to issue a single permit for all types of alcohol for the entire festival area.
4. **Alcohol Beverage Modernization – Liability Coverage:** Allow lower insurance liability coverage for government entities protected under the Tort Claims Act.

Recommended Law Changes

5. **Alcohol Beverage Modernization – Penalties:** Codify SCDOR Penalty Guidelines to ensure the Courts impose consistent penalties.
6. **Credit for Energy Efficient Vehicles:** Provide clear guidelines to determine tax credit eligibility.
7. **MarketPlace Facilitator:** Ensure online “marketplace” retailers collect/remit Sales Tax.

Questions?

Need Help?

More Questions?



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ECONOMIC DEVELOPMENT, TRANSPORTATION, AND NATURAL RESOURCES SUBCOMMITTEE MEETING

Monday, September 10, 2018

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**Hearing
Exhibit
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9/10/18 EDTNR Meeting
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AGENDA

South Carolina House of Representatives



Legislative Oversight Committee

ECONOMIC DEVELOPMENT, TRANSPORTATION, AND NATURAL RESOURCES SUBCOMMITTEE

The Honorable Bruce W. Bannister, Chair

The Honorable Neal A. Collins

The Honorable Mandy Powers Norrell

The Honorable Robert L. Ridgeway III

***Monday, September 10, 2018
10:00 a.m.***

110 - Blatt Building

***Pursuant to Committee Rule 6.8, S.C. ETV shall be allowed access for internet streaming
whenever technologically feasible.***

AMENDED AGENDA

- I. Approval of Minutes**
- II. Discussion of the study of the Department of Labor, Licensing, and Regulation**
- III. Discussion of the study of the Department of Revenue**
- IV. Visit to the South Carolina Fire Academy**
- V. Adjournment**

MINUTES FROM PREVIOUS MEETING

Chair Wm. Weston J. Newton

First Vice-Chair:
Laurie Slade Funderburk

Legislative Oversight Committee

Katherine E. (Katie) Arrington
William K. (Bill) Bowers
Neal A. Collins
MaryGail K. Douglas
William M. (Bill) Hixon
Jeffrey E. (Jeff) Johnson
Robert L. Ridgeway, III
Bill Taylor
John Taliaferro (Jay) West, IV



Bruce W. Bannister
Gary E. Clary
Chandra E. Dillard
Phyllis J. Henderson
Joseph H. Jefferson, Jr.
Mandy Powers Norrell
Tommy M. Stringer
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Research Analyst/Auditor

Kendra H. Wilkerson
Fiscal/Research Analyst

Cathy A. Greer
Administration Coordinator

Economic Development, Transportation, and Natural Resources Subcommittee

Monday, August 13, 2018

10:00 a.m.

Blatt Room 110

Archived Video Available

- I. Pursuant to House Legislative Oversight Committee Rule 6.8, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

Attendance

- I. The Economic Development, Transportation, and Natural Resources Subcommittee meeting was called to order by Chair Bruce W. Bannister on Monday, August 13, 2018, in Room 110 of the Blatt Building. The following other members of the Subcommittee were present for either all or a portion of the meeting: Representative Neal Collins and Representative Robert L. Ridgeway III.

Minutes

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings. It is the practice of the Legislative Oversight Committee to provide minutes for its subcommittee meetings.

- II. Representative Collins makes a motion to approve the minutes from the July 10, 2018, meeting. A roll call vote is held, and the motion passes.

Rep. Collins' motion to approve the minutes from the July 10, 2018, meeting:	Yea	Nay	Not Voting
Rep. Collins	✓		
Rep. Norrell			✓ (absent)
Rep. Ridgeway	✓		
Rep. Bannister	✓		

Discussion of the Department of Revenue (DOR)

- I. Chair Bannister reminds DOR representatives that have been sworn in at previous oversight meetings that they remain under oath. He then administers the oath to the following DOR employees:
- Andy Smith, Deputy Director, Field Operations Division
 - Joe Dusenbury, Deputy Director, Policy, Privacy, and Procurement Division
- II. Director Powell provides opening comments.
- III. Director Powell and Ms. Sherrie McTeer, Deputy Director of the Taxpayer and Business Services Division, provide comments in response to public input. Members ask questions, which Director Powell, Ms. McTeer, and other agency representatives answer.
- IV. The following DOR deputy directors testify about the divisions they lead:
- Andy Smith, Field Operations
 - Laura Watts, Administrative Services
 - Joe Dusenbury, Policy, Privacy, and Procurement
 - Ashley Thomas, Communications and Strategic Initiatives
- Agency staff respond to questions from Subcommittee members during their testimony.
- V. Subcommittee members ask additional questions, which Director Powell and other agency representatives answer.

Discussion of the Department of Labor, Licensing and Regulation (LLR)

- I. After being sworn in by Chair Bannister, Mr. Ronald Steele addresses the Subcommittee. He states that he is a retired fire officer from Charleston. He testifies about his concerns related to the deaths of nine firefighters in Charleston in 2007. He states that he seeks legislation addressing the liability of public employees.

- II. After being reminded by Chair Bannister that she remains under oath, LLR Director Emily Farr provides an overview of the agency, including its mission, history, resources, major programs, successes, challenges, and emerging issues. Director Farr responds to questions from Subcommittee members during and after her testimony.
- III. There being no further business, the meeting is adjourned.

PART ONE: DEPARTMENT OF LABOR, LICENSING, AND REGULATION

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Study Timeline - Department of Labor, Licensing, and Regulation

- May 1, 2015 - Agency submits its **Annual Restructuring and Seven-Year Plan Report**, which is available online.
- February 12, 2016 - Agency submits its **2016 Annual Restructuring Report**, which is available online.
- December 19, 2017 - **Full committee votes to schedule the Department of Labor, Licensing, and Regulation (LLR) for study.** Video of the meeting is available online.
- January 23, 2018-March 1, 2018 - Committee solicits input from the public about the agency in the form of an **online public survey.** The results of the public survey are available online.
- March 1, 2018 - Committee holds **public input meeting** about LLR; Department of Parks, Recreation, and Tourism; and Department of Revenue. Video of the meeting is available online.
- April 20, 2018 - Agency submits its **Program Evaluation Report**, which is available online.
- August 13, 2018 - Subcommittee meets with the agency to discuss an **overview of its mission, history, resources, major programs, successes, challenges, and emerging issues.**
- Ongoing - Public may submit written comments on the Oversight Committee's webpage on the General Assembly's website (www.scstatehouse.gov).

LLR: OFFICES OF ELEVATORS AND AMUSEMENT RIDES AND IMMIGRATION COMPLIANCE

All of the information in this section was provided by the agency in its [Program Evaluation Report](#), submitted on April 20, 2018.

Division Purpose

The **Offices of Elevator and Amusement Rides and Immigration Compliance** oversee the application and enforcement of laws related to elevators/amusement rides and immigration compliance.

Division Employees

	2014-15	2015-16	2016-17
Turnover rate – all employees	13.33%	9.52%	0%
Turnover rate – FTEs only	0.00%	10.00%	0%

Is employee satisfaction evaluated?	No
Is anonymous employee feedback allowed?	No
Do any positions require a certification?	Yes
Did the agency pay for or provide classes/instruction needed to maintain required certifications?	All

Applicable Strategic Plan Segments

2017-18 Comprehensive Strategic Plan Segments	Intended Public Benefit/Outcome	2016-17			2017-18			Partner(s), by segment
		# of FTEs utilized	Amount Spent	% of Total Available to Spend	# of FTEs using	Amount budgeted	% of Total Budget	
Goal 3 - Improve and protect the safety and health of South Carolina workers while ensuring employers' compliance with state law.								
Strategy 3.5: Ensure South Carolina employers' lawful compliance with state immigration law.		Strategy Totals:						
Objective 3.5.1 - Prohibit the knowing or intentional employment of unauthorized workers by conducting audits of South Carolina's private employers for compliance with the South Carolina Illegal Immigration Reform Act that requires new hires be verified through E-Verify.		2.52	\$286,219.07	1%	2.52	\$271,894.44	1%	
		1.93	\$199,286.45	0.46%	1.93	\$197,096.01	0.47%	State Government

2017-18 Comprehensive Strategic Plan Segments	2016-17			2017-18			Partner(s), by segment
	Intended Public Benefit/Outcome	# of FTEs utilized	Amount Spent	% of Total Available to Spend	# of FTEs using	Amount budgeted	% of Total Budget
Objective 3.5.2 - Investigate complaints alleging non-compliance by employers with the South Carolina Illegal Immigration Reform Act, forwarding those complaints alleging violation of state or federal laws that fall within jurisdiction of an enforcing agency (for example, Federal Immigration and Customs Enforcement (ICE) or the South Carolina Department of Public Safety, Immigration Enforcement Unit).	To ensure employers verify the employment authorization of new hires through E-Verify and only employ workers authorized by E-Verify.	0.09	\$18,139.70	0.04%	0.09	\$13,976.97	0.03%
Objective 3.5.3 - Register and inspect Immigration Assistance Service providers.	To ensure individuals providing immigration assistance services in South Carolina are licensed by LLR and comply with the state law's provisions.	0.1	\$18,139.70	0.04%	0.1	\$13,976.97	0.03%
Objective 3.5.4 - Verify lawful presence in the United States of aliens applying for a professional or occupational license through the Systematic Alien Verification of Entitlement (SAVE) program operated by the U.S. Department of Homeland Security.	To ensure that aliens applying for the state benefit of professional and occupational licensure are legally in the United States and authorized to work.	0.4	\$50,653.22	0.12%	0.4	\$46,844.49	0.11%
Goal 4 - Protect the riding public and industry personnel in the enjoyment and use of public amusement ride devices and elevators in South Carolina							
<i>Strategy 4.1: Provide oversight of the State's Elevator and Amusement Ride Safety programs.</i>		<i>Strategy Totals:</i>					
Objective 4.1.1 - Register and issue permits and operating certificates to those elevators that qualify after demonstrating compliance with legal standards and requirements.	To ensure the safety of the public riding elevators in South Carolina.	1.93	\$174,432.18	0.40%	1.93	\$185,245.41	0.44%
Objective 4.1.2 - Register and issue permits to authorize operation of amusement devices in South Carolina after ensuring proper initial inspection and operation.	To ensure the safety of the public riding amusement rides in South Carolina.	2.53	\$216,415.81	0.50%	3.53	\$231,149.01	0.55%

2017-18 Comprehensive Strategic Plan Segments	Intended Public Benefit/Outcome	2016-17			2017-18			Partner(s), by segment
		# of FTEs utilized	Amount Spent	% of Total Available to Spend	# of FTEs using	Amount budgeted	% of Total Budget	
Objective 4.1.3 - License, oversee, and audit Special Inspectors who conduct annual inspections of public elevators and amusement devices in the State.	To ensure the competency of Special Inspectors conducting elevator and amusement ride inspections.	1.18	\$111,456.72	0.26%	1.18	\$116,390.01	0.28%	Private Business, State Govt, Local Government, Individuals
Objective 4.1.4 - Conduct inspections of new installation or new alteration of public elevators and audit Special Inspectors' annual inspections.	To ensure the safety of the public riding elevators in South Carolina.	3.08	\$251,402.17	0.58%	3.08	\$269,402.01	0.64%	Private Business, State Govt, Local Government, Individuals

Division Deliverables

Deliverable	Required /allowed by law?	Does agency track...	Does agency know...			Agency allowed to charge a fee?	Greatest potential harm to the public if deliverable is not provided	Recommendations to the General Assembly to help avoid the greatest potential harm	Other agencies where the product/ service may fit
		Outcomes?	Customer satisfaction?	# of potential customers?	# of customers served?	Cost /unit?			
Agency Permits/Certificates (Elevator -new installation and alteration permits and certificates of operation and Amusement Device Permits)	Required	✓	✗	✓	✓	✗	✓	Risk of physical harm and loss of life.	DHEC
New Elevator Installation and Alterations Inspections	Required	✗	✗	✓	✓	✗	✓	Risk of physical harm and loss of life.	DHEC
Elevator and Amusement Ride Audits	Not explicit	✗	✗	✗	✓	✗	✗	Undetected non-compliance may result in risk of physical harm and loss of life.	DHEC
License special inspectors for amusement ride and elevator inspections	Required	✓	✗	✓	✓	✗	✓	Unlicensed or unprofessional practice may expose the public to potential property damage and personal injury.	DHEC, DOR
E-Verification compliance audits	Not explicit	✓	✗	✓	✓	✗	✓	Non-compliance may destabilize the workforce, lead to undetected identity theft and less job security for families.	DOR, DSS

Related Performance Measures

Performance Measure	Type	Required or Selected?	Time Period	Target: Actual:	Time Period 1	Time Period 2	Time Period 3	Time Period 4	Time Period 5 (last completed)	Time Period 6 (current)	Trend in Results (Pds 1-5)
Number of E-Verify audits conducted	Output	Agency selected	Monthly	Target: Actual:	DNE 268	DNE 141	DNE 294	DNE 293	DNE 299	DNE 178	
Percentage of employers E-Verifying new hires	Outcome	Agency selected	Monthly	Target: Actual:	DNE 90%	DNE 96%	DNE 85%	DNE 90%	DNE 87%	DNE 86%	
Small business E-Verify compliance rate	Output	Agency selected	Monthly	Target: Actual:	DNE 88%	DNE 61%	DNE 83%	DNE 81%	DNE 79%	DNE 82%	
Number of Registered Immigration Assistance Providers	Output	Agency selected	Monthly	Target: Actual:	DNE 24	DNE 24	DNE 24	DNE 24	DNE 25	DNE 25	
Number of aliens verified through SAVE	Output	Agency selected	January - Dec	Target: Actual:	DNE DNE	DNE DNE	DNE 1,094	DNE 1,428	DNE 1,677	DNE 421	
Number of elevators registered in the state	Output	Agency selected	July - June	Target: Actual:	DNE 12,129	DNE 12,379	DNE 12,778	DNE 13,115	DNE 13,710	DNE 13,916	
Number of elevators inspected	Output	Agency selected	July - June	Target: Actual:	DNE 9,269	DNE 8,812	DNE 10,324	DNE 10,473	DNE 10,332	DNE 8,300	
Number of elevators with outstanding abatements	Output	Agency selected	Monthly	Target: Actual:	DNE 1,789	DNE 1,346	DNE 1,170	DNE 1,302	DNE 1,270	DNE 1,116	
Number of amusement rides inspected and permitted	Output	Agency selected	July - June	Target: Actual:	DNE 715	DNE 700	DNE 494	DNE 501	DNE 716	DNE 315	
Number of permits issued for alteration/installation of elevators	Output	Agency selected	July - June	Target: Actual:	DNE 344	DNE 256	DNE 714	DNE 423	DNE 728	DNE 513	

DNE = Does/did not exist

Related Agency Recommendations

Law Recommendation #46

Law number and title	S.C. Code Ann. § 41-18-40. Definitions.
Summary of current law	Provides definitions applicable to the South Carolina Amusement Rides Safety Code.
Recommendation and rationale	The statute does not define “open to the public.” The agency attempted to clarify the definition by regulation, but is still facing questions from the public and legislature regarding whether the code applies to church camps. Open to the public is a broad term, and the agency seeks clarification, but has no recommended language.
Wording of Regulation.	<u>(15)</u> “Open to the public” means a place or device that is accessible or available to members of a community or population, irrespective of whether a fee is charged and without regard to the number of days that the place or device is available for use. It does not include a private club, organization, or institution utilizing a selection and approval process for membership that operates the device exclusively for the use of its members on premises owned or controlled by it. It also does not include a private residence where the device is operated by family members and their guests for non-business purposes. A club, organization, or institution that offers memberships for less than thirty days is not private.
Other agencies that may be impacted	N/A

LLR: DIVISION OF OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)

All of the information in this section was provided by the agency in its [Program Evaluation Report](#), submitted on April 20, 2018.

Division Purpose

The Occupational Safety and Health Administration organizational unit oversees the application and enforcement of state and federal laws related to occupational health and safety.

Division Employees

	2014-15	2015-16	2016-17
Turnover rate – all employees	10.62%	5.36%	13.91%
Turnover rate – FTEs only	10.62%	5.36%	12.28%

Is employee satisfaction evaluated?	No
Is anonymous employee feedback allowed?	No
Do any positions require a certification?	Yes
Did the agency pay for or provide classes/instruction needed to maintain required certifications?	All

Applicable Strategic Plan Segments

2017-18 Comprehensive Strategic Plan Segments	2016-17		2017-18			Partner(s), by segment
	# of FTEs utilized	Amount Spent	% of Total Available to Spend	# of FTEs using	Amount budgeted	% of Total Budget
Goal 3 - Improve and protect the safety and health of South Carolina workers while ensuring employers' compliance with state law.						
<i>Strategy 3.1: Develop, implement, and facilitate programming that will aid in the improvement and protection of worker safety and health throughout the State.</i>	9.05	\$581,444.49	1%	9.05	\$534,995.73	1%
Objective 3.1.1 - Provide compliance assistance, technical support, in-house training and guidance, and community outreach. Objective 3.1.2 - Provide training and development for new and current OSHA staff.	4.01	\$283,974.79	0.65%	4.01	\$262,857.06	0.62%
	2.01	\$175,782.84	0.40%	2.01	\$161,426.88	0.38%
	Federal Government					

2017-18 Comprehensive Strategic Plan Segments	Intended Public Benefit/Outcome	2016-17			2017-18			Partner(s), by segment
		# of FTEs utilized	Amount Spent	% of Total Available to Spend	# of FTEs using	Amount budgeted	% of Total Budget	
Objective 3.1.3 - Provide accurate statistical safety and health injury and illness data for all South Carolina industries.	Decrease workplace injury and illness.	3.03	\$121,686.86	0.28%	3.03	\$110,711.79	0.26%	Federal Government; Private Business
Strategy 3.2: Implement and enforce OSHA standards throughout the State to ensure that South Carolina workers are safe at work.		35.53	\$2,907,571.42	7%	37.53	\$2,715,744.60	6%	
Objective 3.2.1 - Conduct inspections to verify safety standard compliance of worksites throughout the State.	Decrease workplace injury and illness.	20.91	\$1,636,374.17	3.76%	22.91	\$1,530,734.31	3.62%	Federal Government; Private Business
Objective 3.2.2 - Conduct investigations of reported injuries, fatalities, and alleged noncompliance with health and safety standards in the work place.		12.41	\$1,095,414.41	2.52%	12.41	\$1,023,583.41	2.42%	Federal Government; Private Business
Objective 3.2.3 - Conduct focused inspections in industries with statistically higher numbers of fatalities in specific geographical areas.		2.21	\$175,782.84	0.40%	2.21	\$161,426.88	0.38%	Federal Government; Private Business
Strategy 3.3: Train and educate South Carolina workforce and employers with respect to OSHA health and safety guidelines and standards.		18.3	\$1,568,666.96	4%	18.3	\$1,457,148.96	3%	
Objective 3.3.1 - Conduct timely, relevant trainings to employers statewide.	Educated employers and workforce; decrease workplace injuries and illnesses.	4.41	\$283,974.79	0.65%	4.41	\$262,857.06	0.62%	Private Business
Objective 3.3.2 - Provide consultation services to requesting employers.		9.76	\$824,934.54	1.89%	9.76	\$770,007.96	1.82%	Federal Government, Private Business
Objective 3.3.3 - Provide outreach services to employers seeking entry into the VPP or Sharp Recognition programs.		2.82	\$283,974.79	0.65%	2.82	\$262,857.06	0.62%	Federal Government, Private Business
Objective 3.3.4 - Provide Youth Safety Outreach Program throughout the State.		1.31	\$175,782.84	0.40%	1.31	\$161,426.88	0.38%	Local Govt, K-12 Ed Inst, Higher Ed Inst, Private Business; Individual

2017-18 Comprehensive Strategic Plan Segments	Intended Public Benefit/Outcome	2016-17			2017-18			Partner(s), by segment
		# of FTEs utilized	Amount Spent	% of Total Available to Spend	# of FTEs using	Amount budgeted	% of Total Budget	
Strategy 3.4: Provide legal support and guidance to all labor programs within the agency to aid in the continued safety, health, and legal compliance of South Carolina worksites.	Strategy Totals:	5.54	\$540,843.42	1%	5.54	\$493,562.25	1%	
Objective 3.4.1 - Provide legal representation, advice, and training to labor-related programs in the agency.	Efficient Inspections and investigations from trained inspectors and compliance officers.	1.21	\$229,878.81	0.53%	1.21	\$212,141.97	0.50%	Private Business, Individuals
Objective 3.4.2 - Conduct investigations of alleged retaliation against employees for health and/or safety complaints.	Decrease in workplace retaliation.	1.91	\$121,686.86	0.28%	1.91	\$110,711.79	0.26%	Private Business, Individuals
Objective 3.4.3 - Conduct informal conferences for employers seeking further understanding and resolution of a pending citation from SC OSHA.	Educated employers and workforce; decrease workplace injuries and illnesses.	0.96	\$121,686.86	0.28%	0.96	\$110,711.79	0.26%	Private Business, Individuals
Objective 3.4.4 - Objective: Provide responses to requests for information from employers and other members of the public related to SC OSHA.	Public perceives that agency is responsive and transparent.	1.46	\$67,590.89	0.16%	1.46	\$59,996.70	0.14%	Private Business, Individuals

Division Deliverables

Deliverable	Required/ allowed by law?	Does agency track...		Does agency know...			Agency allowed to charge a fee?	Greatest potential harm to the public if deliverable is not provided	Recommendations to the General Assembly to help avoid the greatest potential harm	Other agencies where the product/ service may fit
		Outcomes?	Customer satisfaction?	# of potential customers?	# of customers served?	Cost /unit?				
Consultations (eliminate and prevent workplace injury)	Not explicit	✓	✓	✓	✓	✓	✗	Employee illness, injury and/or death. The agency would also lose the 21d Federal Grant.	Continued support of OSHA mission.	Workers' Comp. Comm.
Trainings -Employers/Employees	Not explicit	✗	✗	✓	✓	✓	✗	Employee illness, injury and/or death.	Continued support of OSHA mission.	DEW
Closing Conference, inspection/Investigation citation	Required	✗	✗	✗	✗	✓	✗	Employee illness, injury and/or death.	1. Maintain current statutory authority. 2. Continued support of OSHA mission.	Workers' Comp. Comm.
Reports (injury/illness)	Required	✗	✗	✗	✗	✓	✗	Employee illness, injury and/or death. The agency would also lose the BLS Federal Grant.	Continued support of OSHA mission.	Workers' Comp. Comm.
Rulemaking/Public Hearing/Variance	Required	✓	✓	✗	✓	✓	✗	Employee illness, injury and/or death. The agency would lose the 23g Federal Grant, and the State of South Carolina would lose its State OSHA plan.	Continued support of OSHA mission.	Workers' Comp. Comm.
Youth Safety Program (OSHA 10 classes, Safety Awareness classes)	Not explicit	✗	✗	✗	✓	✓	✗	Employee illness, injury and/or death.	Continued support of OSHA mission.	Dept of Education
Partnerships/Alliances	Not explicit	✗	✗	✗	✓	✓	✓	Employee illness, injury and/or death.	Continued support of OSHA mission.	Dept of Commerce, DEW
FOIA responses (protection of confidential, sensitive and/or trade secret information)	Required	✓	✓	✗	✓	✓	✗	Protected information is released.	Maintain current statutory authority.	Dept of Archives and History
Customer service (telephone calls, correspondence, in-person contact)	Not explicit	✓	✓	✗	✓	✓	✗	Public including employers and employees would not feel valued and appreciated.	Continued support of OSHA mission.	Dept of Admin.
Compliance Assistance (interpretive letters, technical assistance, guidance documents, custom industry information)	Not explicit	✗	✗	✗	✓	✓	✗	Employee illness, injury and/or death.	Continued support of OSHA mission.	DEW, Workers' Comp. Comm.

Deliverable	Required/ allowed by law?	Does agency track...		Does agency know...			Agency allowed to charge a fee?	Greatest potential harm to the public if deliverable is not provided	Recommendations to the General Assembly to help avoid the greatest potential harm	Other agencies where the product/ service may fit
		Outcomes?	Customer satisfaction?	# of potential customers?	# of customers served?	Cost /unit?				
Recognition Programs (VPP/Sharp/Safety Awards)	Not explicit	X	X	X	✓	✓	X	Employee illness, injury and/or death.	Continued support of OSHA mission.	DEW, Workers' Comp. Comm., Dept of Commerce
Inspection/Investigation (Eliminate and prevent 11c discrimination and workplace injury)	Required	X	X	X	✓	✓	X	Employee illness, injury and/or death. The agency would lose the 23g Federal Grant, and the State of South Carolina would lose its State OSHA plan.	Continued support of OSHA mission.	Workers' Comp. Comm., SCHAC
Informal Conference	Required							Employee illness, injury and/or death.	1. Maintain current statutory authority. 2. Continued support of OSHA mission.	Workers' Comp. Comm.

Related Performance Measures

Performance Measure	Type	Required or Selected?	Time Period	Time Period 1	Time Period 2	Time Period 3	Time Period 4	Time Period 5 (last completed)	Time Period 6 (current)	Trend in Results
Number of Employer/Employee Requests* <i>*Considering using in future</i>	Input/Activity	Agency Selected	October 1 - September 30	Target: 2,329 Actual: 2,329	DNE 3,051	DNE 2,321	DNE 2,136	DNE 2,097	DNE 893	
Number of Public Hearings	Output	Required by Federal	October 1 - September 30	Target: 2 Actual: 2	2	2	2	2	2	
Number of Classes Conducted	Output	Agency Selected	October 1 - September 30	Target: 2 Actual: 2	2	2	2	2	2	
Number of Tweets	Output	Agency Selected	October 1 - September 30	Target: 2 Actual: 2	DNE 2	DNE 2	DNE 2	DNE 2	20	
Number of eBlasts	Output	Agency Selected	October 1 - September 30	Target: 2 Actual: 2	DNE 2	DNE 2	DNE 2	DNE 2	21	
Number of Outside Presentations/Meetings	Output	Agency Selected	October 1 - September 30	Target: 2 Actual: 2	DNE 2	DNE 2	DNE 2	DNE 2	12	
Number of Website Updates (new information)	Output	Agency Selected	October 1 - September 30	Target: 2 Actual: 2	DNE 2	DNE 2	DNE 2	DNE 2	3	
Decrease in Injury and Illness Rates	Outcome	Required by Federal	October 1 - September 30	Target: 2 Actual: 2	DNE 2	DNE 2	DNE 2	DNE 2	4	
Number of Employees Recruited* <i>*Considering using in future</i>	Input/Activity	Agency Selected	October 1 - September 30	Target: 2 Actual: 2	DNE 2	DNE 2	DNE 2	DNE 2	100%	
Number of Employees Retained (within 2 years)* <i>*Considering using in future</i>	Input/Activity	Required by Federal	October 1 - September 30	Target: 2 Actual: 2	DNE 2	DNE 2	DNE 2	DNE 2	100%	
Percentage of Employees Receiving 40 or More Hours of Annual Training	Output	Required by Federal	October 1 - September 30	Target: 2 Actual: 2	DNE 2	DNE 2	DNE 2	DNE 2	85%	
Percentage of Required Employers Contacted for Annual Survey/Audit	Output	Required by Federal	Quarterly	Target: 45 Actual: 45	45	45	45	45	37	
Number of Programmed Inspections	Outcome	Agency Selected	Quarterly	Target: 557 Actual: 557	DNE 938	DNE 532	DNE 899	DNE 655	948	
Number of Unprogrammed Investigations	Output	Required by Federal	Quarterly	Target: 25 Actual: 25	25	25	25	25	20	
Number of Affected Employees (unprogrammed)	Outcome	Agency Selected	Quarterly	Target: 3977 Actual: 3977	DNE 3178	DNE 1576	DNE 4522	DNE 3902	5629	
Complaints; Response Time Within 7 Days	Efficiency	Required by Federal	Quarterly	Target: 87.50% Actual: 87.50%	100%	100%	100%	100%	100%	
Number of Focused Inspections	Output	Agency Selected	Quarterly	Target: 0 Actual: 0	DNE 0	DNE 16	DNE 22	DNE 0	20	
Number of Affected Employees (focus)	Outcome	Agency Selected	Quarterly	Target: 0 Actual: 0	DNE 0	DNE 141	DNE 108	DNE 0	175	
Number of Training Classes	Output	Agency Selected	October 1 - September 30	Target: 461 Actual: 461	DNE 400	DNE 436	DNE 322	DNE 268	178	

DNE = Does/did not exist

Performance Measure	Type	Required or Selected?	Time Period		Time Period 1	Time Period 2	Time Period 3	Time Period 4	Time Period 5 (last completed)	Time Period 6 (current)	Trend in Results
Number of Employers Trained	Outcome	Agency Selected	October 1 - September 30	Target: Actual:	DNE 3328	DNE 2737	DNE 2449	DNE 2325	DNE 1953	DNE 1009	
Number of Employees Trained	Outcome	Agency Selected	October 1 - September 30	Target: Actual:	DNE 12604	DNE 7905	DNE 8032	DNE 5702	DNE 2223	DNE 4769	
Number of Consultations	Output	Agency Selected	October 1 - September 30	Target: Actual:	788 919	755 837	755 919	755 862	800 870	688 373	
Number of Affected Employees (consultations)	Outcome	Agency Selected	Monthly	Target: Actual:	DNE 820	DNE 1153	DNE 285	DNE 515	DNE 485	DNE 1179	
Number of Employers	Outcome	Agency Selected	October 1 - September 30	Target: Actual:	DNE 919	DNE 837	DNE 919	DNE 862	DNE 870	DNE 373	
Amount of Fines Saved	Efficiency	Agency Selected	July - June	Target: Actual:	DNE \$1,537,438	DNE \$1,635,366	DNE \$1,852,570	DNE \$1,721,075	DNE \$1,420,226	DNE \$1,429,870	
Lapse Time Between Request and Consultation* <i>*Considering using in future</i>	Efficiency	Agency Selected	Quarterly	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	DNE DNE	DNE DNE	DNE DNE	
Number of VPP Sites	Input/Activity	Agency Selected	October 1 - September 30	Target: Actual:	42	40	41	40	40	41	
Number of SHARP Sites (new)	Input/Activity	Agency Selected	October 1 - September 30	Target: Actual:	2	2	2	2	1	1	
Number of Students Trained (Youth Safety Program)	Outcome	Agency Selected	October 1 - September 30	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	DNE DNE	250 370	500 850	
Number of Classes Conducted (Youth Safety Program)	Output	Agency Selected	October 1 - September 30	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	DNE DNE	1	5	
Number of Counties (Youth Safety Program)	Input/Activity	Agency Selected	October 1 - September 30	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	DNE DNE	1	3	
Number of Active VPP Sites (Youth Safety Program)	Input/Activity	Agency Selected	October 1 - September 30	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	DNE DNE	5	20	
Number of Contested Cases Filed	Input/Activity	Agency Selected	January - December	Target: Actual:	DNE 12	DNE 18	DNE 20	DNE 23	DNE 14	DNE 2	
Number of Contested Cases Resolved	Output	Agency Selected	Monthly	Target: Actual:	DNE 0	DNE 1	DNE 2	DNE 2	1	0	
Number of 11c Whistleblower Complaints Filed	Input/Activity	Agency Selected	Monthly	Target: Actual:	DNE 5	DNE 5	DNE 9	DNE 4	DNE 6	DNE 9	
Number of Whistleblower Complaints Resolved	Output	Agency Selected	Monthly	Target: Actual:	DNE 11	DNE 4	DNE 2	DNE 20	DNE 4	DNE 8	
Number of Informal Conferences	Input/Activity	Agency Selected	Monthly	Target: Actual:	DNE 11	DNE 4	DNE 7	DNE 3	DNE 4	DNE 8	
Number of Contested Cases Filed After an Informal Conference	Input/Activity	Agency Selected	Monthly	Target: Actual:	DNE 11	DNE 10	DNE 13	DNE 17	DNE 9	DNE 0	
Number of Settlements* <i>*Considering using in future</i>	Output	Agency Selected	Monthly	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	DNE DNE	DNE DNE	DNE DNE	
Number of OSHA FOIA Requests	Input/Activity	Agency Selected	Monthly	Target: Actual:	DNE 15	DNE 16	DNE 8	DNE 8	DNE 12	DNE 18	

DNE = Does/did not exist

Related Agency Recommendations

Law Recommendation #30

Law number and title	S.C. Code Ann. § 41-15-220 (SC OSHA). Notice and hearing; occupational safety and health standards not subject to Administrative Procedure Act; rebuttable presumptions created by publication of notice.
Summary of current law	Notice of hearing for SC OSHA standards
Recommendation and rationale	Amends the statute to allow for publication in newspapers with electronic circulation to enhance accessibility for the public and employers.
Wording of law	(A) Before the promulgation, modification, or revocation of a regulation issued pursuant to this article, the commissioner shall conduct a public hearing at which all interested persons, including employer and employee representatives, must be provided an opportunity to appear and present their comments orally or written, or both. Notice of the hearing must be published in the State Register and <u>may be published</u> in at least three newspapers, at least one of which has circulation in upper, lower, and middle South Carolina, <u>or through electronic means</u> , once a week for three weeks. The notice must contain the date, time, and place of the hearing and a brief description of the proposed regulation. <i>[remainder of statute unchanged]</i>
Other agencies that may be impacted	N/A

Law Recommendation #31

Law number and title	S.C. Code Ann. § 41-15-260. Interrogation; inspection; warrant for inspection; issuance; return; records of warrants issued.
Summary of current law	Interrogation; inspection; warrant for inspection; issuance; return; records of warrants issued.
Recommendation and rationale	Amends the statute to provide a compliance mechanism for warrant process and sanctions for non-compliance in order to address circumstances when an employer refuses to comply with a warrant .
Wording of law	(B)(3) A warrant issued pursuant to this section shall be served within ten days and returned within thirty days of its date of issue. <u>A person authorized by the Director of the Department of Labor, Licensing and Regulation or designee may seek contempt and/or sanctions, in the event of noncompliance with a warrant. Assistance may also be sought by law enforcement during the service of the warrant.</u> The circuit judge who has issued a warrant under this section shall attach to the warrant a copy of the return and all papers filed in connection therewith and shall cause them to be filed with the court which issued such warrant. <i>[remainder of statute unchanged]</i>
Other agencies that may be impacted	Local law enforcement agencies and Circuit Court.

Law Recommendation #32

Law number and title	S.C. Code Ann. § 41-15-270. Subpoenas, taking of testimony and the like.
Summary of current law	Outlines the investigative process.
Recommendation and rationale	Amends the statute to provide a compliance mechanism for warrant process and sanctions for non-compliance in order to deter employers from ignoring subpoenas .
Wording of law	(A) The Director of the Department of Labor, Licensing and Regulation or his designee may subpoena witnesses, documents, take and preserve testimony, examine witnesses, administer oaths and, ~~upon proper presentation of credentials to the owner, manager or agent of the employer, enter any place, site or areas where employment comes under the jurisdiction of the Commissioner and interrogate any person employed therein or connected therewith or the proper officers of a corporation or employer,~~ or he may file a written or printed list of interrogatories and require full and complete answers to them to be returned under oath within fifteen days of the receipt of such list. <u>In the event of non-compliance, the Director or his designee may seek contempt and/or sanctions by the circuit judge having jurisdiction where the inspection and investigation is being conducted.</u> <u>(B) Upon proper presentation of credentials to the owner, manager or agent of the employer, the Director of the Department of Labor, Licensing and Regulation or his designee may enter any place, site or area where employment comes under the jurisdiction of the Director and interrogate any person employed therein or connected therewith or the proper officers of a corporation or employer. In the event of non-compliance, the Director of the Department of Labor, Licensing and Regulation or his designee may seek a warrant pursuant to the provisions in Section 41-15-260.</u>
Other agencies that may be impacted	Local law enforcement agencies and Circuit Court.

Law Recommendation #33

Law number and title	S.C. Code Ann. § 41-15-280. Citation for violation; notice in lieu of citation.
Summary of current law	Provides procedures for issuance of a citation for violations.
Recommendation and rationale	Amends the statute by including language that makes it clear that the citation will be issued with the penalty, and allows the agency discretion to stay the deadline under certain circumstances . This is done to ensure SC OSHA's ability to further its mission without constraints. This protects the public while providing due process to employers .
Wording of law	Title: Citation <u>and notification of penalty</u> for violation; notice in lieu of citation. If, upon inspection or investigation, the <u>Director</u> or his authorized representative ascertains that an employer has violated a requirement of any rule or regulation promulgated pursuant to this article, he shall with reasonable promptness issue a citation <u>and notification of penalty</u> to the employer. Each citation <u>and notification of penalty</u> shall be in writing and shall describe with particularity the nature of the violation or violations, including a reference to any statute or rule or regulation alleged to have been violated. The citation <u>and notification of penalty</u> shall fix a reasonable time for the abatement of the violation. The <u>Director</u> may prescribe procedures for the issuance of a notice in lieu of a citation with respect to de minimis violations which have no direct or immediate relationship to safety or health. Such notice shall have the effect of a recommendation to the employer; compliance will not be required. Each citation <u>and notification of penalty</u> issued under this section, or a copy or copies thereof, shall be prominently posted, as prescribed in regulations issued by the <u>Director</u>, at or near each place a violation referred to in the citation occurred. No citation may be issued under this section after the expiration of six months following the occurrence of any violation. <u>Where the actions or omissions of the employer or its designee conceal the existence of the violation or conditions leading to the violation, this limitation is tolled until such time as the agency learns or could have learned of the violation or conditions.</u>
Other agencies that may be impacted	N/A

Law Recommendation #34

Law number and title	S.C. Code Ann. § 41-15-300. Notice of penalties.
Summary of current law	Provides notice of penalties.
Recommendation and rationale	Repeals the statute in its entirety since penalties are not sent separately from citations. This will streamline statutory provisions and reduce redundancy.
Wording of law	~~If, after an inspection or investigation, the Commissioner issues a citation, he shall within a reasonable time after the termination of such inspection or investigation notify the employer by certified mail of the penalty, if any, assessed under Section 41-15-320.~~
Other agencies that may be impacted	N/A

Law Recommendation #35

Law number and title	S.C. Code Ann. § 41-15-520. Remedies of an employee charging discrimination.
Summary of current law	Provides remedies available to an employee charging discrimination.
Recommendation and rationale	Amends the statute to provide clarity regarding the actions taken upon receipt of complaint from a public employee.
Wording of law	<u>(A)</u> A private sector employee believing that he has been discharged or otherwise discriminated against by any person in violation of Section 41-15-510 may, within thirty days after the violation occurs, file a complaint with the Director of the Department of Labor, Licensing and Regulation alleging the discrimination. Upon receipt of the complaint, the director, <u>or designee</u>, shall within fifteen days forward the complaints that allege violations of Section 41-15-510 and violations of a federal statute other than 29 U.S.C.A. Section 660(c) to the United States Department of Labor Whistleblower Program. For other complaints, the director shall cause an investigation to be made as he deems appropriate. If upon such investigation the director determines the provisions of Section 41-15-510 have been violated, he shall institute an action in the appropriate court of common pleas against such person. In any such action the court of common pleas shall have jurisdiction for cause shown to restrain violations of Section 41-15-510 and order all appropriate relief including rehiring or reinstatement of the employee to his former position with back pay. <u>(B) Upon receipt of a complaint from a public sector employee, the agency will issue a Notice of Right to Sue letter.</u> A public sector employee believing that he has been discharged or otherwise discriminated against by any person in violation of Section 41-15-510 may proceed with a civil action pursuant to the provisions contained in Chapter 27, Title 8.
Other agencies that may be impacted	N/A

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LLR: OFFICE OF WAGES AND CHILD LABOR

All of the information in this section was provided by the agency in its [Program Evaluation Report](#), submitted on April 20, 2018.

Applicable Strategic Plan Segments

2017-18 Comprehensive Strategic Plan Segments		2016-17			2017-18			Partner(s), by segment
		Intended Public Benefit/Outcome	# of FTEs utilized	Amount Spent	% of Total Available to Spend	# of FTEs using	Amount budgeted	
Goal 3 - Improve and protect the safety and health of South Carolina workers while ensuring employers' compliance with state law.								
Strategy 3.6 - Ensure lawful treatment of employees under state law by investigating complaints alleging violations of the Payment of Wages Act and Child Labor Laws.		Strategy Totals:	6.67	\$612,169.44	1%	6.67	\$708,351.48	2%
Objective 3.6.1- Review and process claims, insuring they meet jurisdictional requirements and sufficiency to initiate investigation of alleged violations.	Public has confidence that claims are sufficiently screened to determine whether further investigation is warranted.	1.07	\$204,056.48	0.47%	1.07	\$236,117.16	0.56%	State Government, Local Government
Objective 3.6.2 -Investigate claims alleging Payment of Wages and Child Labor law violations, including conducting witness interviews and analyzing evidence.	Public can be confident that claims of alleged wage and labor law violations will be thoroughly and timely investigated.	4.13	\$204,056.48	0.47%	4.13	\$236,117.16	0.56%	State Government, Local Government
Objective 3.6.3 - Enforce Payment of Wages Act and Child Labor Laws by holding informal conferences and issuing warnings and citations for confirmed violations.	Public can have confidence that Payment of Wages Act and Child Labor Laws are appropriately enforced.	1.47	\$204,056.48	0.47%	1.47	\$236,117.16	0.56%	State Government, Local Government

Related Performance Measures

Performance Measure	Type	Required or Selected?	Time Period		Time Period 1	Time Period 2	Time Period 3	Time Period 4	Time Period 5 (last completed)	Time Period 6 (current)	Trend in Results (Pds 1-5)
Number of wage and labor claims received	Input/Activity	Agency selected	July - June	Target: Actual:	DNE 1160	DNE 1008	DNE 1125	DNE 1815	DNE 2023	DNE 1133	
Number of wage and labor investigations opened	Output	Agency selected	July - June	Target: Actual:	DNE 1092	DNE 926	DNE 1091	DNE 1788	DNE 1982	DNE 1112	
Number of wage and labor citations issued	Outcome	Agency selected	July - June	Target: Actual:	DNE 424	DNE 338	DNE 437	DNE 712	DNE 781	DNE 439	
Amount of penalties assessed for wage violations	Output	Agency selected	July - June	Target: Actual:	DNE \$ 164,450	DNE \$81,600	DNE \$97,751	DNE \$139,099	DNE \$151,300	DNE \$93,790	

DNE = Does/did not exist

Related Agency Recommendations

Law Recommendation #36

Law number and title	S.C. Code Ann. § 41-13-25. Penalties for violating child labor regulations
Summary of current law	Provides penalties for violating child labor laws.
Recommendation and rationale	Amends the statute to clarify penalty options for first offenders in order to provide better information to the public and assist those wishing to avoid such penalties.
Wording of law	(A) As determined by the Director of the Department of Labor, Licensing and Regulation or the director's designee, an employer who violates a child labor regulation promulgated pursuant to this chapter must be given a written warning of the violation for a first offense or ~~may be~~ fined not more than one thousand dollars. For second or subsequent offenses, an employer may be fined not more than five thousand dollars for each offense. The director shall determine the amount of the penalty pursuant to procedures promulgated by the department in regulation for assessing penalties under this chapter. These regulations shall include the method for determining penalties based on the size of the business of the employer being charged, the gravity of the violation, the good faith of the employer, and the history of previous violations of the employer. <i>[remainder of statute unchanged]</i>
Other agencies that may be impacted	N/A

Law Recommendation #37

Law number and title	S.C. Code Ann. § 41-10-30. Notification to employees of wages and hours agreed upon; recordkeeping requirements; requirement of itemized statement of gross pay and deductions for each pay period.
Summary of current law	Requires provision of itemized statements for each pay period.
Recommendation and rationale	Amends the statute to include alternative means of employees viewing statements in order to recognize and utilize current technology .
Wording of law	(C) Every employer shall provide each employee with <u>access to</u> an itemized statement showing his gross pay and the deductions made from his wages for each pay period. <i>[remainder of statute unchanged]</i>
Other agencies that may be impacted	N/A

Law Recommendation #38

Law number and title	S.C. Code Ann. § 41-10-40. Medium of payment; deposit of wages to employee's credit; prohibition against deductions in absence of written notice; time and place of payment.
Summary of current law	Provides the medium of payment for employees.
Recommendation and rationale	Amend the statute to revise method of payment to allow inclusion of different forms of payment other than the standard check.
Wording of law	(A) Every employer in the State shall pay all wages due in lawful United States ~~money or by negotiable warrant or check bearing even date with the payday~~ <u>currency</u> . [remainder of statute unchanged]
Other agencies that may be impacted	N/A

Law Recommendation #39

Law number and title	S.C. Code Ann. § 41-10-80. Violations and penalties; civil actions by employees; administrative review of civil penalties.
Summary of current law	Defines violations and penalties.
Recommendation and rationale	Amends the statute by revising penalties in order to enhance compliance mechanisms for violations.
Wording of law	(A) Any employer who violates the provisions of Section 41-10-30 must be given a written warning by the Director of the Department of Labor, Licensing and Regulation or his designee for the first offense and must be assessed a civil penalty of not more than ~~one~~ <u>two hundred fifty</u> dollars for each subsequent offense. (B) Any employer who violates the provisions of Section 41-10-40 <u>and Section 41-10-50</u> must be assessed a civil penalty of not more than one ~~hundred~~ <u>thousand</u> dollars for each violation. Each failure to pay constitutes a separate offense. . . . (D) The Director of the Department of Labor, Licensing and Regulation or his designee shall promulgate regulations to establish a procedure for <u>the assessment of penalties and the administrative review of any civil penalty as assessed</u> ~~by the commissioner~~ . [remainder of statute unchanged]
Other agencies that may be impacted	N/A

PART TWO: DEPARTMENT OF REVENUE

Part Two Contents

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S.C. DEPARTMENT OF REVENUE STUDY TIMELINE

2017

December 19, 2017 **Full committee votes** to make SCDOR the next agency for the Economic Development, Natural Resources, and Transportation Subcommittee to study. [Video](#) and [minutes](#) of the meeting are available online.

2018

January 23 – March 1, 2018 Committee solicits input from the public about the agency in the form of an **online public survey**. The [results of the public survey](#) are available online.

March 1, 2018 Committee holds **public input meeting (Meeting #1)** about this and other agencies.

May 31, 2018 SCDOR submits its Program Evaluation Report to the Committee.

June 18, 2018 Subcommittee meets with agency (**Meeting #2**) to discuss the agency's history; legal framework; mission; vision; organizational structure; deliverables and customers; resources; relationships with other agencies; and goals.

July 10, 2018 Subcommittee meets with agency (**Meeting #3**) to discuss the following agency divisions: Government Services; Taxpayer and Business Services; Security and Information Technology Services; and Litigation and Appeals.

August 13, 2018 Subcommittee meets with agency (**Meeting #4**) to discuss the following agency divisions: Policy, Privacy, & Procurement; Communications & Strategic Initiatives; Field Operations; and Administrative Services.

September 10, 2018 (TODAY) Subcommittee meets with agency (**Meeting #5**) to discuss Subcommittee recommendations.

Ongoing Public may submit written comments on the Oversight Committee's webpage, accessed from www.scstatehouse.gov.

SUBCOMMITTEE FOLLOW-UP LETTER TO DOR

Chair Wm. Weston J. Newton

*First Vice-Chair:
Laurie Slade Funderburk*

Legislative Oversight Committee

*Katherine E. "Katie" Arrington
William K. "Bill" Bowers
Neal Collins
MaryGail K. Douglas
William M. "Bill" Hixon
Jeffrey E. "Jeff" Johnson
Robert L. Ridgeway, III
Edward R. Tallon Sr.
John T. "Jay" West, IV*



*Bruce W. Bannister
Gary E. Clary
Chandra E. Dillard
Phyllis J. Henderson
Joseph H. Jefferson Jr.
Mandy Powers Norrell
Tommy M. Stringer
Bill Taylor
Robert Q. Williams*

*Jennifer L. Dobson
Research Director*

*Cathy A. Greer
Administration Coordinator*

*Charles L. Appleby IV
Legal Counsel*

*Carmen J. McCutcheon Simon
Research Analyst/Auditor*

*Kendra H. Wilkerson
Fiscal/Research Analyst*

South Carolina House of Representatives

**Post Office Box 11867
Columbia, South Carolina 29211
Telephone: (803) 212-6810 • Fax: (803) 212-6811
Room 228 Blatt Building**

August 16, 2018

Via Email

W. Hartley Powell, Director
South Carolina Department of Revenue
300-A Outlet Pointe Boulevard
Columbia, South Carolina 29210

RE: Follow up from Subcommittee's August 13, 2018, meeting with the agency

Dear Director Powell:

The Economic Development, Transportation, and Natural Resources Subcommittee appreciates the agency's continued partnership in the oversight process. As follow-up from the meeting on August 13, 2018, please provide the Subcommittee with the following information by Friday, August 31, 2018:

1. A summary of the results of the agency's FY16 and FY17 employee surveys, omitting any confidential data or information that identifies individual respondents. Also, please describe briefly the survey method used (i.e., was input anonymous).
2. Estimates of the following information related to filing tax liens:
 - a) Number of tax liens filed in FY18, broken down by county if readily available;
 - b) Current annual agency cost of filing tax liens with counties, including recording fees and staff time;
 - c) The counties that would currently accept electronic recording through Simplifile or similar services;
 - d) Change in annual agency cost if electronic recording with Simplifile or a similar service is implemented for the counties referenced in part (c), including the cost of an annual contract and any anticipated savings in staff time and postage; and

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ROA_01328

- e) Change in annual agency cost if the agency is no longer required to file tax liens with counties, including the cost of implementing a statewide recording system and any anticipated savings in staff time and recording fees.

Thank you for your service to the citizens of South Carolina and for your continued cooperation with the legislative oversight process. We look forward to continuing our discussion of the Department of Revenue at the next Subcommittee meeting.

Sincerely,

A handwritten signature in dark ink, appearing to read "B. Bannister", with a stylized flourish at the end.

Bruce W. Bannister
Subcommittee Chair

cc: Economic Development, Transportation, and Natural Resources Subcommittee Members

DOR RESPONSE TO FOLLOW-UP LETTER

State of South Carolina Department of Revenue



HENRY D. MCMASTER
Governor

W. HARTLEY POWELL
Director

300A OUTLET POINTE BOULEVARD
POST OFFICE BOX 125
COLUMBIA, SOUTH CAROLINA 29214
Telephone: (803) 898-5040
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Director@dor.sc.gov

August 31, 2018

The Honorable Bruce W. Bannister
Subcommittee Chairman, House Legislative Oversight Committee
Post Office Box 11867
Columbia, SC 29211

Dear Chairman Bannister:

I received your letter of August 16, 2018 requesting a follow-up response to questions resulting from the Department of Revenue's hearing on August 13, 2018. The Department of Revenue is committed to the legislative oversight process, and please find below the requested information.

1. A summary of the results of the agency's FY16 and FY17 employee surveys, omitting any confidential data or information that identifies individual respondents. Also, please describe briefly the survey method used (i.e., was input anonymous).

Employee Survey Method

The Internal Audit (IA) Division conducted the Department's employee surveys. Human Resources provided the IA Director with the most current list of employees and their Divisions. The IA Director compiled and reviewed all responses which were anonymous. The IA Director presented to Senior Management the results from the employee surveys, which included an overall summary, a breakdown of the results, and action items to move forward.

FY16 Employee Survey

Results:

Response Rate: 48%

	Satisfied	Dissatisfied
Salary	45%	55%
Agency Spirit	79%	21%
Cross Divisional Communications	76%	22%
Ethics	88%	12%
Senior Management Contact	54%	46%

Themes from Written Employee Comments:

Salary Dissatisfaction
Stronger Internal Communication with Senior Management
Enhancements of Physical Security

Mitigation Strategies Implemented:

- Implemented a universal employee performance review (EPMS) review date
- Designed and implemented an employee pay for performance plan and bonus program
- Implemented an internal strategic communication campaign to better inform employees of the agency's mission, vision, and culture; customer satisfaction survey results; and strategic performance
- Established employee performance measures and culture classes with executive leadership participation
- Enhanced workplace security by placing protective service agents and metal detectors at all locations
- Included employee input, via survey responses, into strategic and annual business planning

FY17 Employee Survey Results

Results:

The FY17 employee survey was revised to measure a more comprehensive list of workplace topics.
Response Rate: 47%

	Satisfied	Dissatisfied
Security	94%	6%
Salary	30%	70%
Attrition	53%	47%
Contact with Executive Leadership	61%	39%
Contact with Direct Supervisors	58%	42%
Team Spirit in Division	71%	29%
Team Spirit in Agency	57%	43%
Process Improvement Opportunities	71%	29%
Ethics	76%	24%
Internal Communication	62%	38%
Quality of External Customer Service	71%	29%
Management Competency	79%	21%
Non-management Competency	74%	26%
Sufficient Resources, Tools, & Time	79%	21%
Workspace	83%	17%
Work-life Balance	80%	20%

Themes from Written Employee Comments:

Salary Dissatisfaction
Stronger Internal Communication
Lack of Agency Team Spirit

Mitigation Strategies Implemented:

- Established a new intranet, The Huddle, to provide a platform for internal communications, collaboration and engagement of employees
- SCDOR's Communication Guide was revamped to be more user friendly for employees. It was easily accessible through the Department's new intranet, The Huddle
- Implemented a "Get Involved Program" via The Huddle, encouraging employees to volunteer on agency-wide initiatives such as wellness and outreach events and employee appreciation activities
- Implemented an ongoing strategic review process of workspace areas to address the business needs for workspace layout and designs
- Implemented a standard layout of the taxpayer assistance areas at all SCDOR locations

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- Provided sit-to-stand desks for employees to promote a healthier workspace for employees
- Improved the quality of employee recognition items
- Implemented a formal presentation process for bonus awards based on employee feedback
- Committed annual allocations towards achievement award bonuses
- Held an agency-wide employee appreciation event with games and a catered lunch

2018 SCDOR Customer Service Survey:

Survey Method:

This survey was conducted by the University of South Carolina's Institute for Public Service and Policy Research. The purpose of the survey is to assess the public's perception regarding SCDOR's service. There were 800 South Carolina citizens (age 18 or older) randomly selected to participate in the survey.

Results:

Awareness: 83.6% of the responders have heard of SCDOR

Impression: 88.5% - Positive Responses

Contact: 61.1% of the state's adult population contacted SCDOR in 2015

Speed of Refund: 93.8% Satisfaction Rate

Quality of Service: 74.5% satisfied with the overall quality of services received

Courtesy of Service: 79% satisfied with the courtesy and attitude of staff

Accuracy of Service: 85.5% satisfied with the accuracy of the information received

Speed of Service: 81.6% satisfied with the speed of the service provided

Overall Ease of Service: 77.8% satisfied with the overall ease of the process

2. Estimates of the following information related to filing tax liens:

a) Number of tax liens filed in FY18, broken down by county if readily available;

Approximately 56,213 tax liens were filed in FY18. Below is a breakdown of tax liens filed by county:

ABBEVILLE	171	DILLON	170	MARION	197
AIKEN	1,186	DORCHESTER	1,282	MARLBORO	231
ALLENDALE	88	EDGEFIELD	137	MCCORMICK	72
ANDERSON	1,216	FAIRFIELD	317	NEWBERRY	310
BAMBERG	115	FLORENCE	1,175	OCONEE	340
BARNWELL	205	GEORGETOWN	617	ORANGEBURG	1,026
BEAUFORT	1,682	GREENVILLE	4,895	PICKENS	567
BERKELEY	1,835	GREENWOOD	643	*RICHLAND	*15,718
CALHOUN	134	HAMPTON	197	SALUDA	151
CHARLESTON	4,696	HORRY	2,975	SPARTANBURG	2,775
CHEROKEE	491	JASPER	245	SUMTER	899
CHESTER	339	KERSHAW	597	UNION	271
CHESTERFIELD	327	LANCASTER	687	WILLIAMSBURG	346
CLARENDON	371	LAURENS	508	YORK	2,636
COLLETON	317	LEE	178		
DARLINGTON	534	LEXINGTON	2,344		

* All out-of-state liens are filed in Richland County.

b) Current annual agency cost of filing tax liens with counties, including recording fees and staff time;

SCDOR spent a total of \$606,805 to file, expunge and satisfy tax liens in FY18. This amount includes \$562,130 spent on recording fees to counties and \$44,675 in operational costs to include 91,828 expungements and satisfaction notices.

- c) The counties that would currently accept electronic recording through Simplifile or similar services;

Only 19 counties are currently able to accept electronic recording of liens through Simplifile: Aiken, Anderson, Beaufort, Berkeley, Chesterfield, Clarendon, Colleton, Dorchester, Greenville, Greenwood, Horry, Jasper, Lancaster, Laurens, Lexington, Richland, Spartanburg, Sumter and York.

- d) Change in annual agency cost if electronic recording with Simplifile or a similar service is implemented for the counties referenced in part (c), including the cost of an annual contract and any anticipated savings in staff time and postage and;

Estimated cost to modify SCDOR's tax processing system to interface with the counties currently e-recording would be \$800,000 plus an annual contract fee of \$50,000 to \$100,000. SCDOR would no longer incur the annual operational costs of \$44,675.

- e) Change in annual agency cost if the agency is no longer required to file tax liens with counties, including the cost of implementing a statewide recording system and any anticipated savings in staff time and recording fees.

If SCDOR becomes the central statewide recording system for tax liens there would be a total savings of over \$600,000 annually and the elimination of a one-time implementation cost to SCDOR's tax processing system of \$800,000.

If you have questions or need further information, please let me know.

Sincerely,



W. Hartley Powell
Director

DOR RECOMMENDED LAW CHANGES

1. Financial Institutions
2. Tax Liens
3. Alcohol Beverage Modernization – Festivals
4. Alcohol Beverage Modernization – Liability Coverage for Governmental Entities
5. Alcohol Beverage Modernization- Penalties
6. Credit for Energy Efficient Vehicles
7. Marketplace Facilitator

1. Financial Institutions

Summary of Current Law:

N/A

Recommendation:

SCDOR would like to participate in the Financial Institution Data Match (FIDM) program to share data files with financial institutions to identify financial assets of debtors with past due liabilities. This program will not provide new collection tools but provide a more streamline process to collect.

Other agencies that may be impacted:

Financial Institutions

Entities participating in the Debt Setoff or GEAR Program

Draft Language:

Chapter 54 of Title 12 is amended by adding the following section:

SECTION 1. Section 12-54-265. Notwithstanding any other provision of law, the department may submit to a financial institution, as defined in Section 63-17-2310(A)(2), information that identifies a debtor named on a warrant for distraint that has been issued and filed by the department or whose debt has been submitted to the department for collection under the provisions of Section 12-4-580. For purposes of debts named on warrants for distraint, the debt must be at least one hundred eighty days old from the date of assessment. The department may submit the information to the financial institution on a quarterly basis or, with the agreement of the financial institution, on a more frequent basis. A financial institution that receives the information must conduct a data match. The financial institution must then provide to the department, in a manner and form prescribed by the department, information concerning the debtor for purposes of collecting outstanding debts. The information provided to the department must include, but is not limited to, the information required pursuant to Section 63-17-2320(A). The financial institution must be paid a reasonable fee out of the collected funds not to exceed actual cost.

SECTION 2. This Act takes effect upon the signature of the Governor.

2. Tax Liens

Summary of Current Law:

Currently, SCDOR files tax lien notices with each county in which a warrant for distraint applies.

Recommendation:

Amend current law to allow SCDOR to implement a centralized system of filing and indexing of tax liens that is accessible to the public through SCDOR's website. Instead of filing liens with each county interested parties will be able to search the entire state for tax liens through one centralized source.

Other agencies that may be impacted:

Local Jurisdictions

Draft Language:

Section 12-54-122(G) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

SECTION 1. Instead of filing a tax lien notice pursuant to item (1), the department may implement a system of filing and indexing liens which must be accessible to the public over the Internet or through other means as the department considers appropriate. A lien filed pursuant to this item is effective statewide from the date and time it is recorded and encumbers all the taxpayer's property and rights to property as provided in Section 12-54-120, regardless of the property's location. A lien filed pursuant to item (1) remains effective from the date and time it was recorded. Nothing in this item may be construed so as to extend the effectiveness of a lien beyond ten years from the date of filing, as provided in Section 12-54-120.

SECTION 2. This act takes effect July 1, 2019.

3. Alcohol Beverage Modernization- Festivals

Summary of Current Law:

The current law does not allow for SCDOR to issue permits and licenses for the sale of liquor by the drink at a festival, for multiple locations and multiple days, through one application.

Recommendation:

Add new language to streamline the process whereby festivals can serve alcohol.

Other agencies that may be impacted:

South Carolina Law Enforcement Division

Draft Language:

Chapter 6, Title 61 of the 1976 Code is amended by adding:

SECTION 1. Section 61-6-2017. (A) This section authorizes the department to issue a festival liquor by the drink license, not to exceed a period of five days that can be used on any day of the week subject to the requirements of Section 61-6-2010(C) and (D), to an applicant that meets the following requirements:

(1) the festival must have a total beneficial economic impact in an amount exceeding one million dollars to the immediate community in which the festival is held, which may be based on economic information from previous years;

(2) the festival, on a daily basis, must be bona fide engaged primarily and substantially in the preparation and serving of meals as defined in Section 61-6-20(2);

(3) the festival must have a projected attendance of at least thirty thousand people during the time the festival is held, and past attendance may be considered;

(4) the festival has engaged and continues to engage in tourism promotion;

(5) the festival is held in a defined premises that is separate and apart from other areas, and is enclosed by a fence or other type of enclosure for the duration of the festival with a controlled, restricted access;

(6) the festival applicant shall establish a procedure that requires sufficient identification to determine that individuals who have paid for entrance to the festival and who are purchasing alcoholic beverages meet the age requirements to consume alcohol and further requires those individuals purchasing alcoholic beverages maintain in their possession a personal identifier that is easily identified by a server of alcoholic beverages, as well as requiring that alcoholic beverages are served in beverage containers that are distinct in color or design from the beverage containers used to serve nonalcoholic beverages; and

(7) the festival shall employ a security service licensed by the State Law Enforcement Division.

(B) Except as otherwise provided in this subsection, a festival liquor by the drink license shall be issued to a qualifying applicant only once a year. If, after a license has been issued, the festival is not held, the festival organizer or holder of the festival liquor by the drink license must notify the department within forty-eight hours of the decision to not hold the festival and return the license to the department and may apply for another festival liquor by the drink license in the same year.

(C) The department shall charge a nonrefundable filing fee of thirty-five dollars for processing an application for a festival liquor by the drink license. Applications for the festival liquor by the drink license must also be accompanied by the license fee of three thousand dollars payable to the department. License fees must be deposited with the State Treasurer or are refundable if a license is not issued or is returned in accordance with subsection (B). The application must include a statement by the applicant as to the nature, acreage of location, information requested in subsection (A), and dates of the festival. All of the buildings and grounds of the defined festival location that are under the direct control of the festival liquor by the drink license holder are presumed to be the premises used by the licensee to conduct the festival, including, but not limited to, the areas designated within the festival for entertainment, cultural events, food and beverage services, and retail spaces. The department in its discretion may specify the terms and conditions of the license, pursuant to existing statutes and regulations governing these applications.

(D) The department shall require the applicant to complete the law enforcement notification contained in an application form and submit it with the application. The law enforcement notification provision shall be prepared by the department for inclusion in the application and, at a minimum, must contain sufficient information to inform the department that either the chief of police, if the event is located within the city limits, or the county sheriff has been notified of the temporary license application and given an opportunity to object.

(E) The applicant must undergo a state criminal records check, supported by fingerprints, by the State Law Enforcement Division, and a national criminal records check, supported by fingerprints, by the Federal Bureau of Investigation. The results of these criminal record checks must be reported to the department. The applicant is responsible for all costs associated with the criminal record checks. The department shall deny the application if the criminal record checks are not submitted with the application and filing fee or if they are obtained more than ninety days before the date of the festival.

(F) This section does not prohibit an applicant for a festival liquor by the drink license to apply for a temporary beer and wine permit, pursuant to Section 61-4-550.

(G) The issuance of this license authorizes the festival liquor by the drink licensee to purchase alcoholic liquors from licensed retail dealers in the same manner that a person with a biennial license issued pursuant to subarticle 1 of this article purchases its alcoholic liquors.

(H)(1) In addition to all other requirements, a licensee under this section is required to obtain a general liability or tort insurance policy that does not exclude liquor liability, a liquor liability insurance policy, or a general liability insurance policy with a liquor liability endorsement with a total coverage of at least one million dollars during the period of the festival. Failure to maintain this coverage constitutes grounds for suspension or revocation of the license. Each applicant for this license shall include in the application for the festival liquor by the drink license documentation of the required policy in the required amounts.

(2) Each insurer writing a general liability or tort insurance policy that does not exclude liquor liability, a liquor liability insurance policy, or a general liability insurance policy with a liquor liability endorsement to a person licensed under this section for a festival liquor by the drink license must notify the department in a manner prescribed by the department regulation of the lapse or termination of the required insurance.

SECTION 2. This Act takes effect upon the signature of the Governor.

4. Alcohol Beverage Modernization – Liability Coverage

Summary of Current Law:

The current tort claims act as it relates to liability coverage for governmental entities does not satisfy the requirements set forth for governmental entities who hold an alcohol beverage on premise consumption license.

Recommendation:

Modify existing statute to allow the liability coverage provided by the tort claims act for governmental entities to satisfy the liability coverage required for a governmental entity to hold an alcohol beverage on premise consumption license.

Other agencies that may be impacted:

South Carolina Insurance Reserve Fund

Draft Language:

Section 61-2-145 is amended by adding an appropriately numbered item at the end to read:

SECTION 1. During the period of the biennial permit or license, a governmental entity licensed or permitted to sell alcoholic beverages for on premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on premises consumption, is required to maintain a tort insurance policy that does not exclude liquor liability.

SECTION 2. This Act takes effect upon the signature of the Governor.

5. Alcohol Beverage Modernization – Penalties

Summary of Current Law:

There are penalty provisions contained in the statute that are not consistent. The SCDOR has used policy document guidelines as a guide in applying penalties that are on occasion not accepted by the courts.

Recommendation:

This proposed legislation will provide consistent statutory guidance for the SCDOR and the courts in applying penalties.

Other agencies that may be impacted:

South Carolina Law Enforcement Division

Draft Language:

Amend Title 61, Chapter 2 by adding the following section:

SECTION 1. (A) Notwithstanding any other provision in Title 61, the Department has the sole authority to revoke or suspend any license issued under Title 61 for any violation of this title.

(B) Should the Department not use the authority allowed in subsection (A) of this section the following penalties shall be imposed for any violation of this Title:

(1) First offense there shall be imposed a penalty on the license holder of not less than five hundred dollars;

(2) Second offense there shall be imposed a penalty on the license holder of not less than one thousand dollars;

(3) Third offense there shall be imposed a penalty of suspension of the license issued under this Title of not less than forty-five days;

(4) Fourth offense there shall be imposed a penalty of revocation of the license issued under this Title.

The Department shall review the prior three years from the date of the most recent violation to determine which offense applies.

SECTION 2. This Act takes effect upon the signature of the Governor.

6. Credit for Energy Efficient Vehicles

Summary of Current Law:

The current law allows for an income tax credit for the purchase of new qualified fuel cell motor vehicles, advanced lean burn technology motor vehicles or hybrid motor vehicles meeting federal criteria. Unfortunately, the federal code section providing the criteria has been repealed leaving no guidelines to determine eligibility.

Recommendation:

Modify existing statute to provide clear guidelines to determine eligibility for the credit.

Other agencies that may be impacted:

None

Draft Language:

Amend Title 12, Chapter 6 by adding the following new section:

SECTION 1. (A) For tax years beginning on or after January 1, 2018 and before January 1, 2021, a resident individual taxpayer is allowed an income tax credit for the purchase of a new motor vehicle that meets the requirements of subsection (D). The credit must be claimed for the tax year in which the new motor vehicle is purchased.

(B) The credit amount for any new motor vehicle is:

(1) one hundred dollars for each new motor vehicle for which the mileage is at least forty-five but less than fifty-five; or

(2) three hundred dollars for each new motor vehicle for which the mileage is at least fifty-five.

(C) The credit allowed by this section is nonrefundable. If the amount of the credit exceeds the taxpayer's income tax liability for the applicable tax year, any unused credit may be carried forward for five years.

(D) For purposes of this section:

(1) 'new motor vehicle' means a car or truck that:

(a) is classified as a 'private passenger motor vehicle' pursuant to Section 56-3-630;

(b) is registered for operation upon the highways in this State; and

(c) has incurred five thousand or fewer miles at the time of purchase.

(2) 'mileage' means the combined miles per gallon of gasoline ("MPG") or miles per gallon of gasoline equivalent ("MPGe") for the make and model of the vehicle as published in the Fuel Economy Guide for the applicable model year.

(3) 'Fuel Economy Guide' means the annual Fuel Economy Guide published by the United States Department of Energy, Office of Energy Efficiency and Renewable Energy, and the United States Environmental Protection Agency.

SECTION 2. This act takes effect upon approval by the Governor and applies to income tax years beginning on or after January 1, 2018 and before January 1, 2021.

7. Marketplace Facilitator

Amended September 6, 2018

Summary of Current Law:

There is no law related to taxation of third party sales.

Recommendation:

Definitions have been revised in Chapter 36 of Title 12 to ensure that third party sales will be subject to tax.

Other agencies that may be impacted:

None

Draft Language:

SECTION 1

The General Assembly finds that the South Carolina Sales and Use Tax Act requires any person engaged in business as a retailer to remit the sales and use tax on all retail sales of tangible personal property not otherwise excluded or exempted from the tax. This requirement applies to all retail sales of tangible personal property by the retailer, whether the tangible personal property is owned by the retailer or another person. Retailers selling tangible personal property at retail on consignment, by auction, or in any other manner must remit the sales and use tax on such retail sales.

The General Assembly further finds that Internet marketplaces where a person sells tangible personal property at retail by listing or advertising, or allowing the listing or advertising of another person's products on an online marketplace, and collects or processes the payment from the customer are retailers required to remit the sales and use tax on such retail sales under the provisions of the South Carolina sales and use tax law.

The General Assembly also finds, with the changing economy and ever expanding role of the Internet in the retail market, that the longstanding requirement in the sales and use tax law that a retailer remit the tax on retail sales of tangible personal property owned by another person must apply to all retailers, including both Internet retailers and brick and mortar retailers.

Therefore, to ensure retailers selling another person's tangible personal property on the Internet clearly understand, and are complying with, the sales and use tax law in the same manner as retailers selling another person's tangible personal property in a brick and mortar store, the following provisions, which do not represent a change in policy, are enacted to further set forth South Carolina's longstanding position:

SECTION 2

AMEND CODE SECTION 12-36-70 TO ADD ITEM (3) AS FOLLOWS:

SECTION 12-36-70. "Retailer" and "seller".

"Retailer" and "seller" include every person:

- (1)(a) selling or auctioning tangible personal property whether owned by the person or others;
- (b) furnishing accommodations to transients for a consideration, except an individual furnishing accommodations of less than six sleeping rooms on the same premises, which is the individual's place of abode;
- (c) renting, leasing, or otherwise furnishing tangible personal property for a consideration;
- (d) operating a laundry, cleaning, dyeing, or pressing establishment for a consideration;
- (e) selling electric power or energy;
- (f) selling or furnishing the ways or means for the transmission of the voice or of messages between persons in this State for a consideration. A person engaged in the business of selling or furnishing the ways or means for the transmission of the voice or messages as used in this subitem (f) is not considered a processor or manufacturer;
- (2)(a) maintaining a place of business or qualifying to do business in this State; ~~or~~
- (b) not maintaining an office or location in this State but soliciting business by direct or indirect representatives, manufacturers agents, distribution of catalogs, or other advertising matter or by any other means, and by reason thereof receives orders for tangible personal property or for storage, use, consumption, or distribution in this State; or
- (3) operating as a marketplace facilitator, as defined in Code Section 12-36-71.

The department, when necessary for the efficient administration of this chapter, may treat any salesman, representative, trucker, peddler, or canvasser as the agent of the dealer, distributor, supervisor, employer, or other person under whom they operate or from whom they obtain the tangible personal property sold by them, regardless of whether they are making sales on their own behalf or on behalf of the dealer, distributor, supervisor, employer, or other person. The department may also treat the dealer, distributor, supervisor, employer, or other person as a retailer for purposes of this chapter.

ADD NEW CODE SECTION 12-36-71 TO READ:

SECTION 12-36-71: Marketplace facilitator

(A) "Marketplace facilitator" means any person engaged in the business of facilitating a retail sale of tangible personal property by:

(1) listing or advertising, or allowing the listing or advertising of, the products of another person in any marketplace where sales at retail occur; and

(2) collecting or processing payments from the purchaser, either directly or indirectly through an agreement or arrangement with a third party;

regardless of whether the marketplace facilitator receives compensation or other consideration in exchange for its services.

(B) A marketplace may be physical or electronic and includes, but is not limited to, any space, store, booth, catalog, website, television or radio broadcast, or similar place, medium, or forum.

(C) For purposes of subsection (A), a marketplace facilitator includes any related entities assisting the marketplace facilitator in sales, storage, distribution, payment collection, or in any other manner with respect to the marketplace.

(D) When a marketplace facilitator is comprised of multiple entities, the entity that lists or advertises, or allows the listing or advertising of, the products sold at retail in the marketplace is the entity responsible for remitting the sales and use tax to the State.

AMEND CODE SECTION 12-36-90(1)(a) TO READ:

SECTION 12-36-90. "Gross proceeds of sales".

Gross proceeds of sales, or any similar term, means the value proceeding or accruing from the sale, lease, or rental of tangible personal property.

(1) The term includes:

(a) the proceeds from the sale ~~of property sold on consignment~~ by the taxpayer of property of another person, including proceeds from property sold on consignment and property sold through a marketplace by a marketplace facilitator.

AMEND CODE SECTION 12-36-130(1) TO READ:

SECTION 12-36-130. "Sales price".

"Sales price" means the total amount for which tangible personal property is sold, without any deduction for the cost of the property sold, the cost of the materials used, labor or service cost, interest paid, losses, or any other expenses.

(1) The term includes:

(a) any services or transportation costs that are a part of the sale, whether paid in money or otherwise; ~~and~~

(b) any manufacturers or importers excise tax imposed by the United States; ~~and,~~

(c) the proceeds from the sale of property sold on consignment by the taxpayer of property of another person, including proceeds from property sold on consignment and property sold through a marketplace by a marketplace facilitator.

AMEND CODE SECTION 12-36-1340 AS FOLLOWS:

Each seller making retail sales of tangible personal property for storage, use, or other consumption in this State shall collect and remit the tax in accordance with this chapter and shall obtain from the department a retail license as provided in this chapter, if the retail seller:

(1) maintains a place of business;

(2) qualifies to do business;

(3) solicits and receives purchases or orders by an agent, independent contractor, representative, Internet website, or any other means ~~or salesman; or~~

(4) distributes catalogs, or other advertising matter, and by reason of that distribution receives and accepts orders from residents within the State; ~~or~~

(5) operates as a marketplace facilitator; or

(6) meets constitutional standards for economic nexus with South Carolina for purposes of the sales and use tax.

SECTION 3

This Act takes effect on July 1, 2019

Legislative Oversight Committee



South Carolina House of Representatives

Committee Mission

Determine if agency laws and programs are being implemented and carried out in accordance with the intent of the General Assembly and whether they should be continued, curtailed or eliminated. Inform the public about state agencies.

Website: <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>

Phone Number: 803-212-6810

Email Address: HCommLegOv@schouse.gov

Location: Blatt Building, Room 228

Legislative Oversight Committee

South Carolina House of Representatives

Post Office Box 11867

Columbia, South Carolina 29211

Telephone: (803) 212-6810 • Fax: (803) 212-6811



South Carolina Department of Revenue

Program Evaluation Report

May 31, 2018

**Hearing
Exhibit
205**

PROGRAM EVALUATION REPORT

MAY 31, 2018

The contents of this report are considered sworn testimony from the Agency Director.

South Carolina Department of Revenue

Date of Submission: *May 31, 2018*

Agency Director

Name: W. Hartley Powell

Start Date: January 3, 2017

Number of Years as Agency Head: 1 year and 5 months

Number of Years at Agency: 1 year and 5 months

Email: Hartley.Powell@dor.sc.gov

Primary Agency Staff Contact for Oversight Study

Name: Laura Watts

Phone: 803-898-5038

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Main Agency Contact Information

Phone: 1-844-898-8542

Email: director@dor.sc.gov

Mailing Address: 300A Outlet Pointe Boulevard, Columbia, SC 29210

Agency Online Resources

Website address: South Carolina Department of Revenue's (SCDOR) public website: dor.sc.gov

SCDOR's webpage listing the most commonly used contact numbers: dor.sc.gov/contact

SCDOR's webpage listing contact information for the Taxpayer Advocate:

dor.sc.gov/contact/taxpayer-advocate

SCDOR's webpage listing contact information for each of the Agency's locations:

dor.sc.gov/contact/in-person

SCDOR's social media links:

facebook.com/DOR.SC.GOV

twitter.com/SCDOR

youtube.com/channel/UCTBYoFDeMHjTGv9miVqlx8g/videos

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Please type responses to each question directly below the question. For the questions which ask agency representatives to complete an Excel chart, please complete the chart and attach it to the end of this document when submitting the Adobe (.pdf) version.

I. Agency Snapshot

A. Successes and Issues

1. What are 3-4 agency successes?

a. Increased Taxpayer Compliance / Record Revenue Collections

SCDOR collections account for 95% of the State's General Fund. Over the past several years, SCDOR collections have steadily increased, with record collections of more than \$7.7 Billion in FY17.

Many economic and environmental factors contribute to the overall tax revenue dollars collected, and the SCDOR actively monitors relevant anomalies, trends, or issues to determine necessary action steps to mitigate any potential negative impact. The SCDOR works to maximize voluntary compliance, continually evaluating the need for and implementing process improvements to make it easier for taxpayers to understand and meet their state tax obligations. Committed to the fair administration of tax laws, the SCDOR also works to reduce noncompliance. By taking action against those who do not comply, the SCDOR seeks to prevent unfairly increasing the tax burden on those who do.

As part of our ongoing efforts to reduce noncompliance, we conducted an internal analysis of our collections structure and processes in November 2016. Our goal was to identify potential deficiencies as well as strategies to increase noncompliant collections. Results pointed to the need for improvement in three areas – organizational structure, performance measures, and streamlined processes – and in January 2017, we began phased implementation of improvement plans in each of these areas. We organized all collections personnel together in one section and implemented defined performance plans with specific deliverables and metrics consistent among all staff. A universal dashboard was developed to help employees see the relevance and impact of their efforts; therefore promoting transparency, accountability, and achievement. We also streamlined internal processes and implemented new procedures specifying action steps and deliverables.

As with any significant workplace changes, implementation has not been without challenges. It has required a culture change and paradigm shift for a small number of employees hesitant to embrace new processes and accountability measures. The results, however, have been overwhelmingly positive as evidenced by the outcomes outlined below:

- Average monthly field collection revenues have increased by 58%, with double the number of cases being closed each month
- Average monthly telecollections revenues have more than doubled, with an average of 37.5% more cases closed each month
- Payment plan enrollment has increased by 89% due to online availability and increased promotion
- Average monthly levy revenues have increased by 65% due to a new automated levy issuance process

b. Modernized Tax Processing

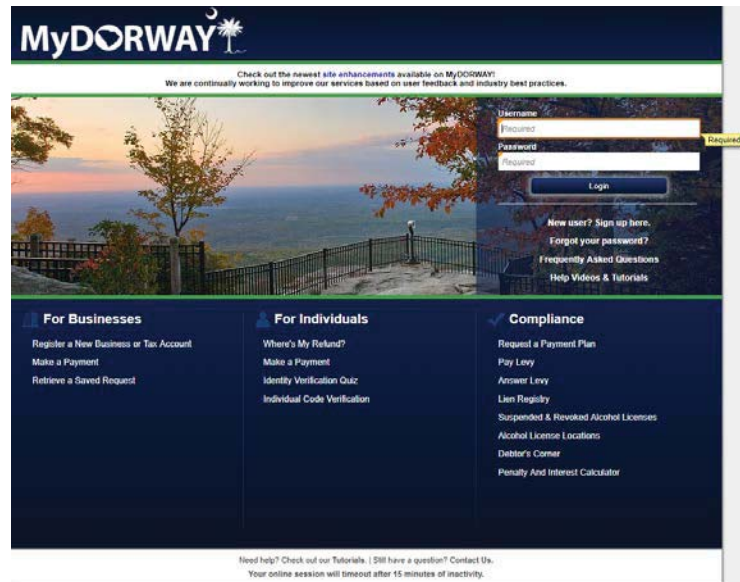
In August 2018, the SCDOR will complete the four-year implementation of a new state-of-the-art integrated tax processing system, DORWAY. This new system replaced numerous outdated tax systems and applications that previously administered South Carolina's taxes. Before DORWAY, attempting to see the full view of all taxes was a cumbersome and often disjointed effort, with data stored in many separate systems. It created unnecessary frustration for the SCDOR, our stakeholders, and particularly South Carolina taxpayers. After years of unsuccessful attempts to create a comparable product in-house, SCDOR leadership found a product that was successfully in use in 20 other states.

DORWAY is designed with the taxpayer at its center, rather than siloed by tax types or functions as our previous systems had been. The results have already been impressive, with streamlined processing, reduced turnaround times, and increased efficiencies. By August 2018, 72 taxes and fees will be administered from DORWAY - transforming the way the SCDOR fulfills its mission. DORWAY has allowed the SCDOR to bring our administration and enforcement efforts into the twenty-first century, while upholding our commitment to taxpayer service and security as our highest priorities.

The public facing side of DORWAY, known as MyDORWAY, makes managing South Carolina tax accounts easier than ever for taxpayers. On MyDORWAY, taxpayers and businesses see the full picture of their South Carolina tax accounts, with the freedom to schedule payments, view online copies of all correspondence, review account history, and securely manage their tax accounts anytime, anywhere. Tax professionals can even manage multiple client accounts using one login. MyDORWAY is free and accepts online checks and credit card payments, making online compliance the easiest and most convenient option for taxpayers.

The modernization of our tax processing system represents a shift in the way the SCDOR manages technology. In the current digital age, our technologies have to remain current to keep up with ever changing security threats while meeting taxpayer needs and expectations. DORWAY and MyDORWAY will continue improving and evolving, staying fresh, current, and useful.

MyDORWAY is available at MyDORWAY.dor.sc.gov. The homepage will be updated in late August 2018 when additional taxes and functionality are added to MyDORWAY.



c. Improved Security on All Fronts

The SCDOR has improved security on all fronts, achieving notable success in both the physical security of our office locations and the cybersecurity of our digital landscape.

Physical security:

- Metal detectors are installed in the lobbies of all SCDOR offices for screening all visitors before they interact with SCDOR staff.
- The agency has a full-time law enforcement staff with officers located at all SCDOR offices during business hours.
- An emergency notification system located at the SCDOR main office is installed to broadcast audible instructions and display colored lights during emergency events.
- Emergency response drills are conducted with SCDOR staff on a routine basis.
- All office locations have badge swipe door entry at employee-only entrances and video camera monitoring. Badge and camera systems are being upgraded at all locations in 2018.

Cybersecurity:

- State-of-the art cybersecurity technologies combined with an agency-wide security culture have transformed the SCDOR into an organization with uniquely strong information security, going beyond state and federal standards to adopt military-grade cybersecurity controls in some areas.
- Successful security implementation considers three factors: people, processes, and technology. The SCDOR has focused not just on using the right tools, but on implementing those tools the right way, and requiring year-round security training for all employees.
- Our technology components address mandatory requirements based on SCDOR, federal, state, and regulatory specifications. To better manage and reduce cybersecurity risk, the SCDOR also addresses components of the voluntary Defense Information Systems Agency (DISA) Security Technical Implementation Guides (STIG) framework.
- The SCDOR has established a strong partnership with the South Carolina Department of Administration's Division of Information Security (SCDIS) to

coordinate security operations, in concert with the state's overall information technology strategic plan.

- We measure the success of our use of emerging security technologies to protect taxpayer data using the following methods:
 - External Audit reviews and scores: Security is reviewed as part of the SCDOR mandatory compliance requirements for Payment Card Industry (PCI) Data Security Standard (DSS), IRS Publication 1075 ("Tax Information Security Guidelines for Federal, State and Local Agencies -- Safeguards for Protecting Federal Tax Returns and Return Information"), IRS Safeguard Computer Security Evaluation Matrix (SCSEM) and SCDIS specifications. We measure our security level by the results and ratings produced by these external audits. These measurements are produced and reported on annually, with the IRS audit being administered formally every three years.
 - Agency internal security goals and scores: The SCDOR has established an internal goal to achieve DISA STIG compliance to better manage and reduce cybersecurity risk. This is measured and reported daily using a Nessus scan configured to DISA STIG levels. The SCDOR reports weekly on internal goals for our environment. We analyze and measure our results based on the vulnerabilities and hardening scores.
 - External evaluations: Through SCDIS, the SCDOR engaged security consulting companies to review the SCDOR security architecture and the SCDOR operational defense/readiness to evaluate and measure our success.

2. What are 3-4 agency challenges? These may include things agency representatives already have a plan to improve.

a. **Fighting Tax Refund Fraud**

Tax refund fraud has reached pandemic levels across the nation, costing our nation billions of dollars in the last decade alone. It is our responsibility to use all available tools and resources to identify, isolate, and stop tax fraud. It is an ever-changing battlefield, as fraudsters continually evolve their tactics to find new vulnerabilities. When we stop and prevent fraud, not only are we protecting taxpayer data, we are also keeping state tax dollars where they belong instead of in the hands of criminals. To be successful we have to stay on the pulse of the latest tools, technologies, and information available to fight fraud.

Even though we have more measures in place today to stop tax refund fraud than ever before, we know that getting ahead of fraudsters is an ongoing and never-ending challenge. Today, our approach to fighting fraud includes enhanced use of technology that utilizes predictive analytics to detect fraud. We partner with financial institutions, the IRS, industry leaders, other states, and government agencies to share information, identify inconsistencies, and stop fraud.

Our enhanced fraud measures for the 2018 season included identity verification quizzes and individual code verifications, requiring taxpayers to verify information when our systems flag an inconsistency on their return. The data we share with other entities allows us to more easily catch such inconsistencies and halt the processing of those questionable returns. In 2017, the SCDOR worked with the South Carolina Legislature to sync the due date that employers are required to submit their W-2 records to the

SCDOR and to their employees, allowing our fraud detection tools to match tax returns with W-2 information much earlier in the tax season.

Ultimately, the best way to fight tax refund fraud is to prevent it. Key stakeholders in this effort are South Carolina taxpayers. Taxpayers help fight tax fraud by becoming more vigilant in protecting their private and personal information, not oversharing on social media, using strong passwords, and keeping their devices clean and secure. Taxpayers should closely examine their tax documents (W-2s, 1099s, etc.) and their tax returns to ensure all information is correct and up to date. We use our website and social media channels to help build awareness and educate taxpayers on how to protect their information (dor.sc.gov/SecurityCenter).

The SCDOR is committed to protecting taxpayers and taxpayer dollars. We measure the success of our fight against fraud by the number of fraudulently filed returns that we identify and stop. We have, and will continue to prosecute offenders. Collaboration and support from state leadership and other entities are vital to our ongoing efforts to stop tax fraud.

b. Mitigating Security Risks

While we consider our physical and cybersecurity efforts to be successes for the agency, the job of maintaining security is never finished and always a challenge.

Physical security:

- The risk of violence directed towards government organizations continues to be a threat and is inherently elevated for the SCDOR due to the nature of the agency's role.
- Protecting stakeholders who work within and visit SCDOR facilities is a priority and offers unique challenges, some of which include: facility size and population, interaction with the public (e.g., multi-tenant facilities), multiple areas of ingress and egress, existing security practices, and workplace violence incidents.
- We continually assess preparedness by planning for emergencies of all kinds, ranging from active threats, hostage situations, bomb threats, and other similar security challenges, as well as natural threats to include fires, tornadoes, floods, hurricanes, and earthquakes.

Cybersecurity:

- Hacking methods are constantly changing, which requires continuous investments in staff training time, technology improvements, and security-oriented vendor management.
- Maintaining a skilled cybersecurity workforce is a continuing challenge, due to a small talent pool and private industry competition.
- o Negotiating and enforcing formal vendor agreements with strong contractual security terms is an ongoing challenge.

c. Conformity

One of the major challenges facing the South Carolina Department of Revenue is the passage of conformity legislation through the General Assembly.

In 1985, South Carolina enacted legislation to adopt much of the Internal Revenue Code and to use federal taxable income as a starting point in determining a taxpayer's South Carolina tax liability. This major shift in tax policy simplified filing requirements for taxpayers and tax professionals, helping to maximize taxpayer compliance. Since 1985, South Carolina has conformed to most federal law changes each year, maintaining as simple a tax system as possible. However, this year the annual conformity is in jeopardy.

In December of 2017, Congress enacted extensive tax legislation (Tax Cuts and Jobs Act of 2017) for individuals, corporations, and pass-through entities effective for 2018. South Carolina is currently considering whether or not to adopt these changes. In the past, South Carolina has conformed to the Internal Revenue Code (IRC) each year with certain exceptions provided in SC Code Section 12-6-50 and miscellaneous code sections throughout Chapter 6 of Title 12. Although South Carolina may decide not to adopt specific provisions of the new law, failure to conform to the IRC as of 12/31/2017 will present numerous technical, as well as practical, problems for taxpayers and the State.

All South Carolina income tax returns, including the Individual Income Tax Return, Partnership Return, C Corporation Income Tax Return, and S Corporation Income Tax Return use amounts computed on the corresponding federal income tax return as the starting point to calculate South Carolina taxable income or South Carolina pass-through items for partnerships and S Corporations.

Line 1 on both the South Carolina Individual Income Tax Return and C Corporation Income Tax Return is federal taxable income taken directly from a taxpayer's federal form. The SC returns then provide for additions to federal taxable income and subtractions from federal taxable income based on state law. The SC Partnership and S Corporation Income Tax Returns each require that amounts from the federal Schedule K be listed with South Carolina adjustments.

If South Carolina does not conform to the IRC through 12/31/2017, South Carolina income tax returns for 2018 and all subsequent years would require that the taxpayer either:

1. Prepare two federal tax returns each year – an actual return to report and pay federal income taxes and a “dummy” federal income tax return for use solely in reporting and paying their South Carolina income tax based on the IRC law as of 12/31/16 with the taxpayer's 2018 tax information (and subsequent years) used to complete the South Carolina income tax return, or
2. Prepare a more detailed South Carolina tax return that starts with federal taxable income but includes all adjustments needed to eliminate the federal IRC changes after 12/31/2016.

Taxpayers will need a working knowledge of two sets of federal laws to complete the South Carolina return (the 2016 pre-reform federal law and the post-reform federal law). Both of these methods will cause confusion and require substantial additional time and effort by taxpayers to prepare their South Carolina returns or force them to hire tax professionals to complete the returns.

At this point, it is unclear whether tax filing services (such as Turbo Tax, Intuit and HR Block) will provide a “dummy” federal income tax return to complete the South Carolina

returns or make all of the required adjustments for the South Carolina return. It is even possible that these tax preparation services could choose not to support or charge more for South Carolina income tax returns in the future.

Beginning in 2018, the federal government will be using chain-linked CPI (Consumer Price Index) for its inflation adjustment which is generally lower than the current CPI inflation adjustment method. If South Carolina does not conform to the new federal law, certain items will need to be indexed using the old CPI method for inflation for South Carolina purposes. For example, the 2017 standard deduction and personal exemption would need to be indexed for inflation each year using the CPI inflation method in effect before the Tax Cuts and Jobs Act of 2017 was enacted.

Major form and computer system changes will need to be implemented by the state if South Carolina does not conform and extensive education of the public, tax preparers, and Department employees will be required.

3. What are 3-4 emerging issues agency representatives anticipate having an impact on agency operations in the upcoming five years?

a. Taxation of Online Retail Sales

South Carolina's sales and use tax base is at risk. Approximately 38% of the State's annual general fund budget is funded by sales and use tax revenues, but historical data and retail sales trends indicate that this tax base is volatile and vulnerable due to the rapidly increasing shift from brick and mortar retail transactions to e-commerce purchases. The SCDOR is on the forefront of states who are seeking to collect sales and use tax from online retailers, but the evolving landscape of e-commerce taxation will continue to be an issue for the SCDOR—and the State—going forward.

Online sales comprise an increasing percentage of total retail sales made in South Carolina. However, under existing law, many online retailers are able to avoid paying sales tax in South Carolina because they lack a physical presence or nexus in the State. The United States Supreme Court is currently considering a challenge to this nexus requirement in *South Dakota v. Wayfair*, but if the Supreme Court affirms its prior precedent, many out-of-state online retailers will continue to avoid paying sales tax in South Carolina.

Moreover, growing e-commerce threatens the viability of South Carolina's traditional retailers who do collect and remit sales taxes. Online retailers hold a competitive advantage over traditional retailers who are complying with their obligation to remit sales taxes to the SCDOR. Many traditional retailers in South Carolina are unable to compete with online retailers and are forced to close their business, thereby further shrinking the State's sales tax base.

In other words, as online retail sales increase, the State's sales tax base will continue to erode because the percentage of taxable retail sales in South Carolina is decreasing. Online retail sales are growing by an average annual pace that is nearly ten times faster than South Carolina's actual sales tax base and sales tax collections; simultaneously, traditional brick and mortar retail sales are declining as a percentage of total retail sales. In FY16, gross retail sales in South Carolina were approximately \$211.8 billion, but the percentage of those sales that were taxable was a mere 33.7% (\$71.4 billion). The SCDOR is pursuing several strategies to protect the State's eroding sales tax base. Currently, the SCDOR is litigating a contested case against Amazon Services, LLC, one of

the world's largest online retailers. In the litigation, the SCDOR contends that Amazon is liable to collect and remit sales tax on all of the South Carolina sales on its website because Amazon is a consignor (i.e. retailer) under existing South Carolina law. Amazon has nexus with South Carolina through its multiple distribution centers in the State. If the SCDOR prevails, Amazon's potential sales and use tax liability for 2016 alone is approximately \$57 million. No other state has attempted to pursue this legal theory against online retailers like Amazon, so the SCDOR is on the cutting edge of tax strategy in this litigation. The case is being closely monitored across the country, including by a number of state revenue departments who are considering implementing their own similar strategies if the SCDOR is successful in the pending Amazon case.

However, if the courts ultimately hold that Amazon is a "retailer" not under existing South Carolina law, then the SCDOR will be forced to collect sales or use tax from either the third-party suppliers/merchants or the customers who purchased items from Amazon's website. This will place a tremendous administrative burden on the SCDOR to identify, assess, and collect these unpaid taxes from tens of thousands of sellers and purchasers, and will likely result in a large percentage of sales and use taxes simply going uncollected.

While the SCDOR believes it is on solid legal ground with Amazon, litigation may not be an ultimate answer to this emerging issue. The General Assembly may need to pass legislation, making it clear that online retailers like Amazon are subject to sales tax in South Carolina. Several states (e.g. Arizona, Minnesota, Washington, North Dakota) have chosen to enact such "marketplace" legislation requiring online companies to collect and remit sales tax for online sales on behalf of third-party merchants. It may be in South Carolina's best interest to consider a similar approach given the uncertainty of litigation and the likelihood that the Amazon case will last several more years.

b. Technological Advancements

The implementation of our internal tax processing system (DORWAY) and our public facing taxpayer portal (MyDORWAY) is a tremendous technological advancement, but our work is never finished. SCDOR leadership recognizes that to fulfill our mission in the digital age, we must keep up with changing technologies. Properly identifying and harnessing technological advancements is an emerging issue for the SCDOR as we work to meet taxpayer needs and expectations, increase efficiencies, and maintain security.

To make compliance as easy as possible, we have to meet taxpayers where they are. Implementation of MyDORWAY has drastically improved the customer experience for online users. However, the technologies that are fresh and new today will be completely outdated in the next five years. That perspective is shaping our future designs for customer experience for taxpayers. In recent months, we have equipped our Revenue Officers with tablets. Revenue Officers are responsible for going into the field to work with taxpayers and business owners and encourage compliance. A major component of their job is educating taxpayers on how to get into or stay in compliance, making sure they are aware of their filing options and responsibilities. Today, Revenue Officers can use their new tablets to accept electronic payments, which is a major convenience for taxpayers and a compliance win for the SCDOR.

We recognize that taxpayers and businesses are relying more heavily on their mobile devices than home computers, so we are already brainstorming completely mobile-friendly tax returns via the mobile view of MyDORWAY or a mobile app. Imagine

managing your business tax accounts, filing returns, snapping a photo to upload an attachment, all from your mobile device. We know we need to be at that point sooner rather than later.

To help taxpayers more easily find the information they need on-the-go, we are planning to redesign our public website (dor.sc.gov) in the near future. We plan to use a “mobile-first” design, designing for the smallest screen (a mobile device) first, and then making the design responsive to fit well on larger screens (tablets or computers). This is the opposite of traditional web design, where screens were designed to display best on a computer screen and would then scale down for smaller devices. Traditional web design often results in disjointed views and frustrating experiences on mobile devices. As more taxpayers use their phones to access our website, we want to eliminate that frustration, providing a smooth, seamless experience from the palm of their hand. We also plan to optimize our “voice search” capabilities on dor.sc.gov, as voice search from a mobile device or home assistant (for example, an Amazon Alexa) only continues to increase in popularity.

We are also analyzing our current communication channels to determine the feasibility of adding an online chat option for taxpayers who prefer the convenience of instant messaging to a phone call, email, or office visit. This one change could have a tremendous impact on our 40-person Call Center and our ability to address taxpayer questions efficiently and quickly. It could also transform our service hours, allowing customer service availability around the clock rather than during the traditional work day.

With six Taxpayer Service Centers across the state, we are also looking at what we can do to better assist the taxpayers who do visit our offices. One idea is to create secure stations for online filings or payments for taxpayers who want to file online but may not have access to a computer or smart phone. This would also allow us the opportunity to walk a taxpayer through our online system, and then allow them to self-serve in the future. We are currently planning to add monitors to each Taxpayer Service Center to share news, tips, and other pertinent information for taxpayers in our waiting areas.

One of our current goals is to leverage available technologies and processes to reduce or eliminate paper. Processing paper is expensive, labor intensive, and time consuming. While it is unlikely that we will be able to completely eliminate the option to file by paper in the near future, we must make the adoption of online filing more palatable to all taxpayers. Through continued technological improvements, taxpayer education and more convenient online options, we can help South Carolina taxpayers move to online filing once and for all.

Taxpayer education is one of our priorities at the SCDOR that new technologies will continue to shape. We plan to expand our online tutorial offerings, making them shorter, easier to understand, and more visually appealing for taxpayers. We have plans to implement easy online signups for our free tax workshops, and easy online payments for our more intensive tax seminars. Using online surveys sent to taxpayers and businesses, we can shape our curriculum to meet the real needs of taxpayers.

Emerging technologies also have a huge impact on our workforce. With TERI ending, our workforce is going to rapidly get younger. To attract and retain talent, and to continue increasing efficiencies, we have to arm this tech-savvy generation with the tools and

resources they are accustomed to. In March 2018, we launched a new and improved Intranet for employees called The Huddle. We have been recognized as a leader in the state for this advancement, utilizing the Intranet not only to share news and organize employee resources, but also to connect the SCDOR Strategic Plan with our everyday work. Survey results show that The Huddle helps employees find what they need faster and feel more engaged with the agency. The Huddle features messages from leadership, connections to our culture values, and ties our agency goals to the daily work of the agency, making the traditional formality of the Strategic Plan more digestible and relatable. Research shows that engaged employees are more productive, so our plans will keep The Huddle fresh, relevant, and timely to continue promoting employee engagement. We will explore how video, voice search optimization, and other new and popular technologies can be implemented to advance The Huddle.

We also understand that the workplace environment has a huge impact on retention, so we must look to technological advancements to create an attractive landscape for employees. We have already implemented standing desks for employees, a move that promotes health and wellness and impacts morale. We have plans to update our break rooms and meeting spaces with updated furniture, Wi-Fi, and idea boards, to create more inviting spaces and promote collaboration and creativity. We are also implementing video conferencing technologies, to make collaboration at our offices across the state even easier.

Finally, to maintain the security of taxpayer information, the SCDOR must stay on the cutting edge of security technology. With the constant threat of hackers and tax fraud, we have to balance our focus on security with a commitment to delivering high-quality service to taxpayers. When it comes to adopting emerging technologies, these two priorities often compete with one another. For example, vendor pricing and sleek collaboration features like synchronous document editing make cloud computing a popular choice in the modern workplace. However, this technology comes with a whole host of security concerns and required expertise to implement and manage. We have to weigh tradeoffs like this on a daily basis. Our security, technology, and business teams work closely on every project, weighing the risks and rewards of every new technology to determine the best fit.

c. Alcohol Beverage License Regulation and Enforcement

There is no debate. South Carolina is famous for and appreciative of hospitality and tourism. Our State's tourism activities produce annually a \$19B economic impact. Yet South Carolina's statutory scheme for regulating alcohol is challenging and fails in many cases to properly support the hospitality industry in this twenty-first century service economy. In 1993, the SCDOR became the regulatory agency for the licensing and enforcement of alcohol in South Carolina.

South Carolina has a complex statutory scheme for regulating alcoholic beverages and licensing that affects nearly every business—from liquor stores and beer wholesalers to grocery stores, gas stations, restaurants, and hotels. Understanding basic licensing/compliance questions often involves cross-referencing multiple state laws making it difficult for any business to be certain it is complying with the law. The South Carolina Constitution (Article VIII-A) sets the frame work for how differently our laws treat beer and wine compared to liquor. It states that "licenses may be granted to sell and consume alcoholic liquors and beverages [not beer and wine] on the premises of

businesses which engage primarily and substantially in the preparation and serving of meals or furnishing of lodging or on the premises of certain nonprofit organizations with limited membership not open to the general public.” On the other hand beer and wine under state law are considered “nonalcoholic and nonintoxicating beverages,” S.C. Code Ann. Section 61-4-10 and are allowed to move freely throughout the State, while liquor is only allowed to be consumed on the designated premises. This distinction between alcoholic beverages is clearly apparent when special events and festivals in South Carolina seek an event permit. During a special event/festival, beer and wine are allowed to move freely throughout the special event/festival area, while liquor sales and consumption must be confined to a separate, designated area in which it is sold.

The current alcohol beverage licensing system is the product of a statutory scheme rooted in the aftermath of Prohibition and written predominantly in the early 1970s with the introduction of the mini-bottle. Our statutory scheme attempts to apply laws (over forty years old) in today’s complex society, when cultural attitudes and views of alcohol have evolved dramatically in the last five decades. For example, South Carolina’s three-tiered system of regulation is largely the by-product of Prohibition sentiments, seeking to curb the “evils” of alcohol by limiting large alcohol corporations from dominating local markets or making excessive sales of alcoholic beverages through aggressive marketing.

For legal inconsistencies between 1970 and today, one need look no further than two recent judicial developments. In Retail Servs. & Sys., Inc. v. S.C. Dep’t of Revenue, 419 S.C. 469, 799 S.E.2d 665 (2017) the Supreme Court struck down as unconstitutional a forty-year old statute limiting an owner to three retail liquor licenses. In a similar vein of addressing laws somewhat at odds with our existing economy, the Administrative Law Court found in Five Points Roost, LLC, d/b/a Five Points Roost, 18-ALJ-17-0005-CC, 2018 WL 1724696 (Apr. 3, 2018) — that a location was essentially a bar and thus prohibited from holding a liquor license because it “is not primarily and substantially engaged in the preparation and serving of meals.” So the conclusion is that “bars” per se are not legal in this state.

South Carolina courts routinely impose a more lenient penalty than what is sought by the SCDOR against persons who violate the alcohol laws. As a result, the penalties for violating the alcohol law lack consistency or uniformity, and many businesses choose to allocate their resources to litigating their noncompliance rather than instituting measures designed to prevent violations in the first place.

The SCDOR “administers” the alcohol laws, while SLED (in partnership with the SCDOR) “enforces” the alcohol laws. In 1995, the SCDOR issued Penalty Guidelines, providing a graduated scale of penalties based on the type of violation and the number of violations against the permit/license. The Penalty Guidelines, most recently updated in 2013, provide guidance to the public as to when the SCDOR will impose a fine rather than seeking suspension or revocation of the license. Yet in cases where the SCDOR seeks the penalties imposed by the Penalty Guidelines, the South Carolina courts frequently impose only a small monetary fine or short suspension; rarely does the Court revoke a license.

A recent case is illustrative. In S.C. Dep’t of Revenue v. Bi-Lo, LLC, d/b/a Bi-Lo Store #5612, 16-ALJ-I 7-0221-CC, 17-ALJ-17-0113-CC, 2017 WL 6018117 (Nov. 21, 2017), a

grocery store was cited by SLED for two violations of selling alcohol to a minor. The store was a frequent offender, and this was its fourth such violation in three years. Pursuant to the Penalty Guidelines, the SCDOR sought revocation of the license because of the pattern of repeated noncompliance. Despite finding that the store had failed to take any corrective action to avoid selling alcohol to underage persons, the Court imposed only a \$2,000 fine and 10 days suspension of the license, citing concerns that the revenue lost from being unable to sell beer and wine could place the store in jeopardy of closing.

When South Carolina courts repeatedly disregard the SCDOR's Penalty Guidelines and impose a more lenient penalty for violations, it inadvertently creates an inherent conflict between the South Carolina Judicial System, SCDOR, and SLED. This conflict is a result of the absence of any statutory language imposing minimum and maximum penalties for specific alcohol violations. Therefore, the courts have complete discretion in determining penalties and are under no obligation to follow the SCDOR's Penalty Guidelines. As a result, our current regulatory system promotes inconsistency and conflicts for all parties involved.

B. Records Management

4. Is the agency current with transferring records, including electronic ones, to the Department of Archives and History? If not, why?

Yes, the agency is current with transferring records to the Department of Archives and History.

5. Please provide the Committee a copy of the agency's records management policy. If the agency does not have a records management policy, what is the agency's plan to create one?

The agency's records management policy is attached. (Exhibit 1)

II. Agency Legal Directives, Plan, & Resources (Study Step 1: Agency Legal Directives, Plan, & Resources)

A. History

6. Please provide the major events history of the agency by year, from its origin to the present, in a bulleted list. Include the names of each director with the year the director started and major events (e.g., programs added, cut, departments/divisions changed, etc.).

South Carolina Department of Revenue Historical Timeline

1915: Governor Richard I. Manning signed Act 99 creating the South Carolina Tax Commission for the specific purpose of executing "the equitable assessment of property for taxation." The Tax Commission consisted of three governor-appointed commissioners and one employee.

1922: Following a post-World War II depression and the damaging effect of a boll weevil attack on the state's cotton crop, the General Assembly sought needed revenue by imposing the Indirect Tax Program which was administered by the Tax Commission. At that time the Commission consisted of two commissioners, one full time chairman (appointed by Commission), and three employees.

1930: The Tax Commission opened a Charleston, Greenville and Spartanburg district office.

1940: With the full implementation of the Indirect Tax Program, the administration of property taxes was shifted from the Tax Commission to local governments for collection.

1945: Act 211 of 1945 directed the Tax Commission to administer the Alcoholic Beverage Control Act which increased the number of commissioners from three to five.

1951: The Tax Commission opened a Florence and Columbia district office.

1957: Act 347 of 1957 required the Tax Commission Chairman to be appointed by the governor.

1962: The Tax Commission was the first state agency in the US to leap into the computer age with the use of the NCR 315 computer system.

1967: Pursuant to Act 398 of 1967 signed by Governor Robert McNair, the Tax Commission was reorganized into two separate agencies: the Tax Commission (three commissioners) and the Alcohol Beverage Control Commission (reassignment of two tax commissioners).

1993: The South Carolina Tax Commission was restructured by the merger of the South Carolina Tax Commission, the Division of Motor Vehicles, and the licensing arm of the Alcohol Beverage Control Commission. It continued to be overseen by commissioners appointed by the governor.

1995: The South Carolina Tax Commission dissolved and the South Carolina Department of Revenue was created as a cabinet agency with a governor-appointed director.

1996: The Division of Motor Vehicles was reassigned to the Department of Public Safety leaving the administration of taxes and alcohol beverage licensing with the South Carolina Department of Revenue.

2018: Today, the South Carolina Department of Revenue remains a cabinet agency led by a governor-appointed director, composed of nine divisions: administrative services, chief information security officer, communications, field operations, general counsel, government services, internal audit, litigation, and taxpayer business services. The SCDOR is responsible for the administration of 72 taxes and fees.

South Carolina Department of Revenue Directors (1995 – present)

Burnet R. Maybank III: 1995 – 1999

Elizabeth Carpentier: 1999 – 2003

Burnet R. Maybank III: 2003 – 2006

Ray N. Stevens: 2006 – 2010

James F. Etter: 2011 – 2013

William M. Blume Jr.: 2013 – 2014

Rick Reames III: 2014 – 2016

W. Hartley Powell: 2017 – present (2018)

B. Governing Body

7. Please provide information about the body that governs the agency, if any, and to whom the agency head reports. Explain what the agency's enabling statute outlines about the agency's governing body (e.g., board, commission, etc.), including, but not limited to: total number of individuals in the body; whether the individuals are elected or appointed; who elects or appoints the individuals; the length of term for each individual; whether there are any limitations on the total number of terms an individual can serve; whether there are any limitations on the number of consecutive terms an individual can serve; the names of the individuals currently on the governing body, date elected/appointed, and term number; duties of the governing body and any other requirements or nuances about the body which the agency believes is relevant to understanding how it and the agency operate. If the governing body operates differently than outlined in statute, please describe the differences.

N/A – The SCDOR is a cabinet agency led by a governor-appointed director.

C. Internal Audit Process

8. Please provide information about the agency's internal audit process, including: whether the agency has internal auditors; a copy of the internal audit policy or charter; the date the agency first started performing audits; the positions of individuals to whom internal auditors report; the general subject matters audited; the position of the person who makes the decision of when an internal audit is conducted; whether internal auditors conduct an agency-wide risk assessment routinely; whether internal auditors routinely evaluate the agency's performance measurement and improvement systems; the total number of audits performed in the last five fiscal years; and the date of the most recent Peer Review or Self-Assessment by the SC State Internal Auditors Association or other entity (if other entity, name of that entity).

The SCDOR's Internal Audit Division has existed since at least 1998, though its original establishment date is unknown. The Internal Audit Director is hired by and reports to the SCDOR director. The Internal Audit team currently has six employees including the Internal Audit Director. The Internal Audit Division Charter (Exhibit 2), which is signed by the SCDOR director, outlines the following:

- o Reporting structure, reporting directly to SCDOR director.
- o Responsibility to obtain SCDOR director approval for the Annual Audit Plan.
- o Authority to access any/all personnel, records, and systems.

The Internal Audit Division conducts two types of risk assessments:

1. Macro-Risk Assessment - This assessment is a continuous assessment with several components, which are completed throughout the fiscal year. Components include an employee survey, an employee analysis, a stakeholder analysis, and a Strengths, Weaknesses, Opportunities, and Threats (SWOT) analysis. The results of these assessments are used to establish the Internal Audit Division's Annual Audit Plan. These results are used by SCDOR leadership to establish strategies and objectives for the Agency's annual strategic plan.
2. Micro-Risk Assessment - These assessments are completed during the preliminary audit of a particular SCDOR department or process to determine inherent risks, mitigating controls, and residual risks. These micro-risk assessments help ensure resources are focused on the most at-risk areas of a department or process.

Audits include reviewing the effectiveness, efficiency, and compliance of the area under review. While the Internal Audit Division's Annual Audit Plan is risk-based, a significant portion of the Audit Plan is dedicated to compliance and operational audits required by the IRS. Most reviews focus on information technology and security. The SCDOR director reviews and approves the Annual Audit Plan as a part of the Internal Audit Director's Annual Planning Stage. Over the last five years, the Internal Audit Division has completed 86 projects and has been heavily involved in the SCDOR's performance measurement processes.

The Internal Audit Division undergoes external peer review every five years according to standards established by the International Institute of Internal Auditors. External peer reviews are performed by the South Carolina State Internal Auditor's Association (SCSIAA). The most recent external peer review was performed in 2012, and the Internal Audit Division is currently due for a peer review. The SCSIAA board is in the process of putting together a team to conduct the review.

D. Laws

9. Please complete the **Laws Chart** tab in the attached Excel document.

E. Deliverables

10. Please complete the **Deliverables Chart** tab in the attached Excel document.
11. Please complete the **Deliverables - Potential Harm Chart** tab in the attached Excel document.

F. Organizational Units

12. Please complete the **Organizational Units Chart** tab in the attached Excel document.

III. Agency Resources and Strategic Plan

13. Please complete the **Comprehensive Strategic Finances Chart** tab in the attached Excel document, to provide the Committee information on how the agency spent its funding in 2016-17.
14. Please provide the following information regarding the amount of funds remaining at the end of each year that the agency had available to use the next year (i.e., in 2011-12, insert the amount of money left over at the end of the year that the agency was able to carry forward and use in 2012-13), for each of the last five years.

Year	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>
Amount Remaining at end of year that agency could use the next year	State: 3,905,173 Other: 6,294,188 Federal: 0	State: 3,171,370 Other: 13,862,278 Federal: 0	State: 2,478,993 Other: 18,684,297 Federal: 0	State: 1,649,480 Other: 20,524,375 Federal: 0	State: 4,478,652 Other: 24,143,514 Federal: 0

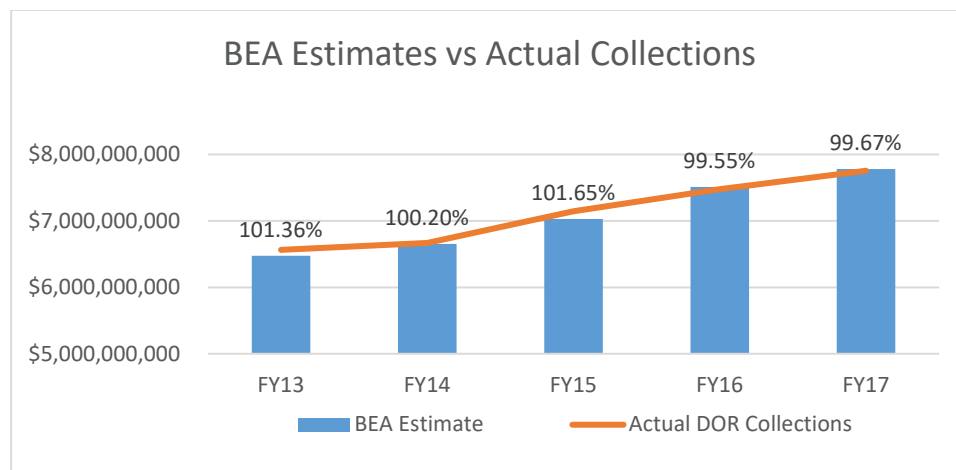
IV. Performance (Study Step 2: Performance)

15. Please complete the **Performance Measures Chart** tab in the attached Excel document.
16. After completing the Performance Measure Chart, please pick three agency deliverables and provide the following information for each:
 - o What is the ideal benchmark outcome? How did the agency determine this to be the benchmark outcome?
 - o What, if any, entity (i.e., a local/state/federal government entity or a private entity in SC or another state) is the best at meeting that standard?
 - o Why does the agency consider that entity the best (most efficient, obtains best outcomes, efficient and obtains best outcomes, obtains best outcomes with limited resources, etc.)?
 - o Actions taken by the agency to obtain ideas on processes or best practices that will allow the agency to continually improve.

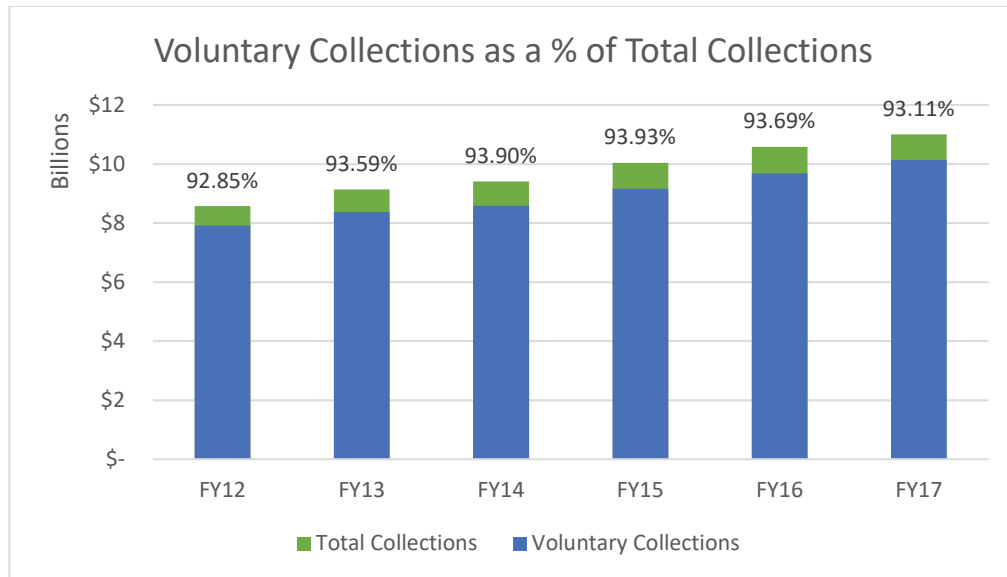
Deliverable: Total SCDOR General Fund Tax Revenue Collections

- o What is the ideal benchmark outcome? How did the agency determine this to be the benchmark outcome?
The ideal benchmark outcome of SCDOR General Fund tax revenue collections is 100% of Board of Economic Advisors (BEA) General Fund Estimates for SCDOR tax types.

State agencies are dependent on general fund appropriations to deliver services to South Carolina citizens. If the SCDOR is unable to collect estimated collections, the impact affects the entire state of South Carolina.



Voluntary compliance of taxpayers comprises approximately 93% of all SCDOR total collections. While many economic and environmental factors contribute to the overall tax revenue dollars we collect, SCDOR uses various measurements at both detail and summary levels to monitor revenue collections in order to identify anomalies, trends or issues where agency action is necessary to reduce the negative impact to collections.



- **What, if any, entity (i.e., a local/state/federal government entity or a private entity in SC or another state) is the best at meeting that standard?**

There is no other SC state agency with which to compare.

- **Why does the agency consider that entity the best (most efficient, obtains best outcomes, efficient and obtains best outcomes, obtains best outcomes with limited resources, etc.)?**

NA

- **Actions taken by the agency to obtain ideas on processes or best practices that will allow the agency to continually improve.**

SCDOR is implementing a secure, state-of-the-art integrated tax system that modernizes the way taxpayers interact with us. The system incorporates best practices from 20 other revenue agencies.

With the taxpayer as its center, the new system allows taxpayers to easily and securely manage all of their tax accounts at no cost, which includes filing and/or paying tax liabilities. In addition, the system has transformed our administration and enforcement efforts for general fund tax revenue collections with streamlined processes, reduced turnaround times and increased efficiencies.

SCDOR participates with other federal and state agencies through membership in the Federation of Tax Administrators (FTA) and the SouthEastern Association of Tax Administrators (SEATA) and seeks best practices for all areas of tax administration.

Deliverable: Stakeholder Education

- **What is the ideal benchmark outcome? How did the agency determine this to be the benchmark outcome?**

The ideal benchmark outcome for stakeholder education is maximized by voluntary taxpayer compliance. We work toward this outcome through various educational opportunities, outreach channels, and access to easy-to-understand information and resources designed to increase awareness and understanding of tax responsibilities and requirements.

We offer taxpayer education and training opportunities in a variety of formats including seminars, workshops, webinars, online tutorials, and publications (print and digital). Taxpayers can also access a wealth of educational information and resources via our website and social media networks.

We provide ongoing training opportunities for employees in the areas of customer service, computer systems and programs, tax types, tax processing, tax law, security, disclosure, process improvement, leadership, supervisory management, and general employee education. We educate employees on and continually promote the Agency's vision, mission, culture values, and strategic plan, emphasizing the connection to every position and job function and emphasizing engagement.

Increased taxpayer awareness, education, and access to easy-to-understand information and resources makes it easier for taxpayers to file and pay their taxes. By educating and engaging SCDOR employees, we improve performance and delivery of services that support increased compliance.

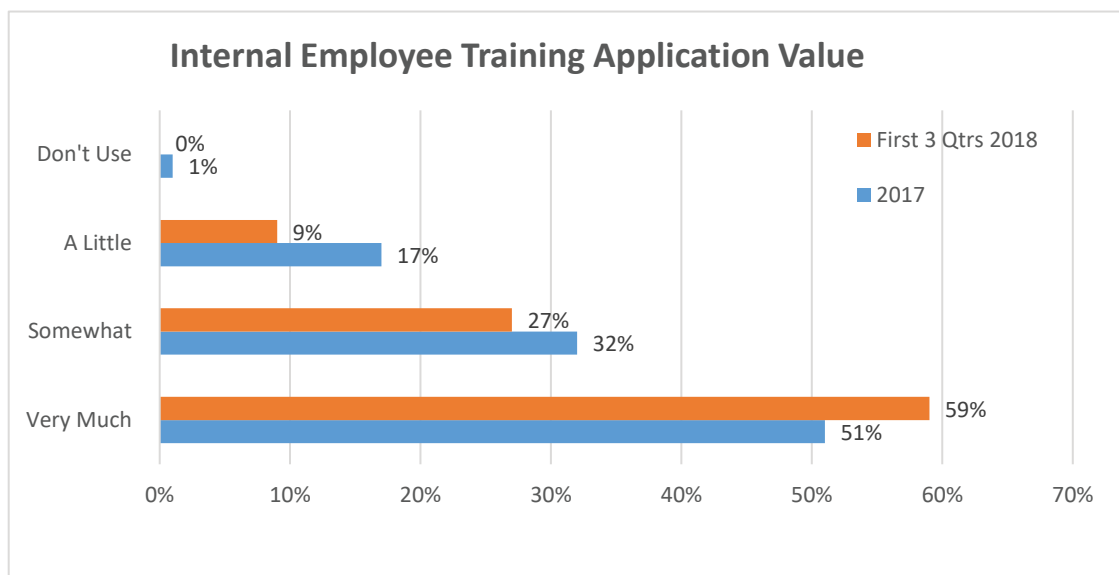
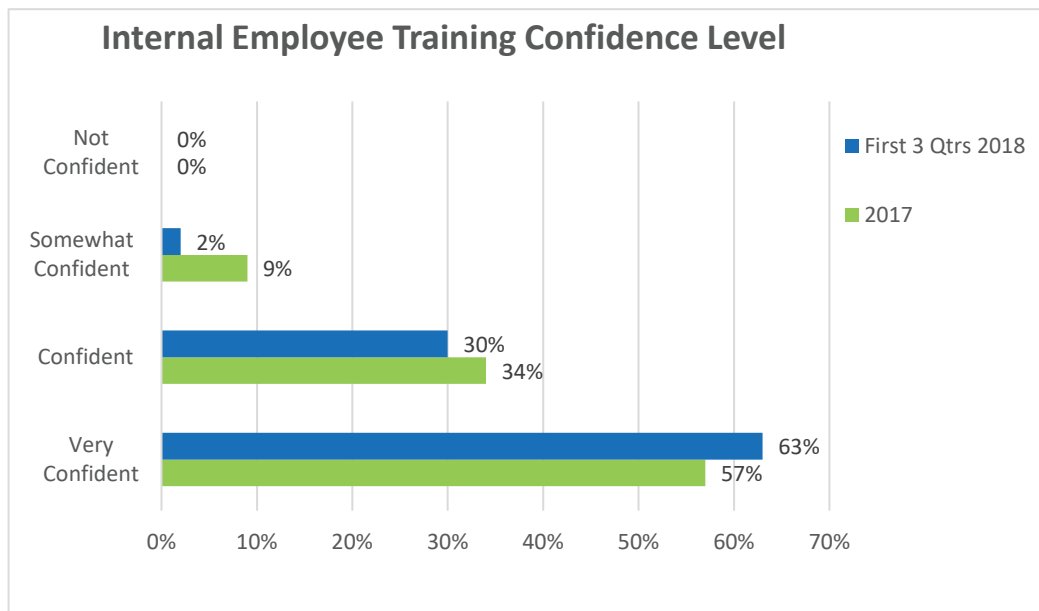
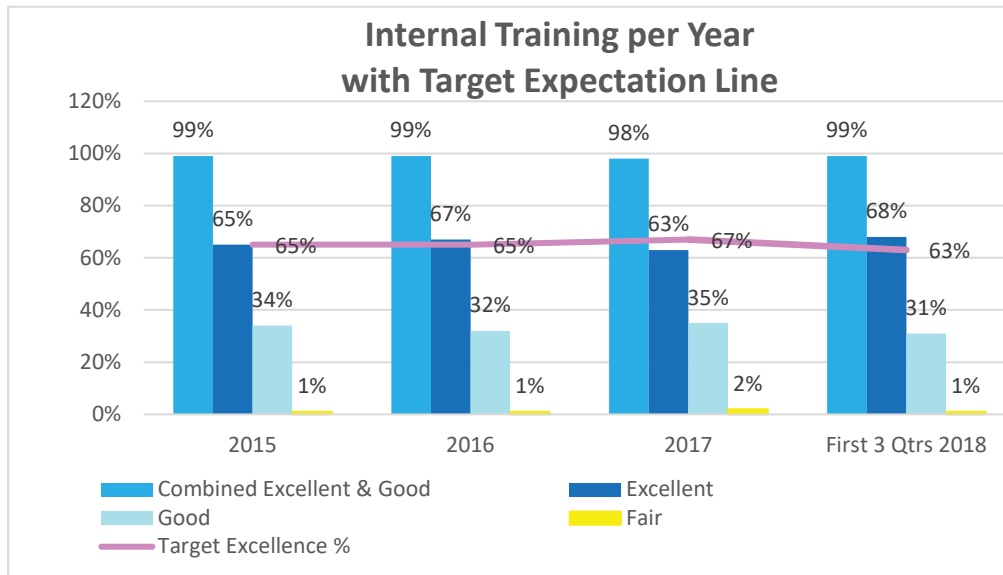
We measure the effectiveness of taxpayer education using a variety of methods depending on the specific delivery strategy. We establish key performance indicators (KPI) for optimal performance by comparing current to historical data; identify critical/key components to indicate the impact; and evaluate online analytics.

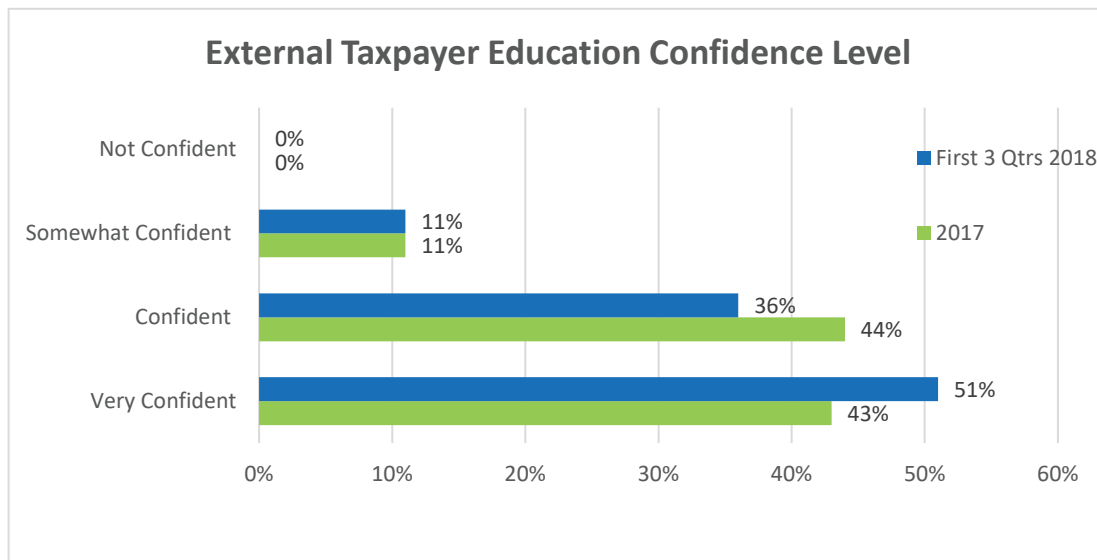
For our external and internal trainings, we measure the following components:

1. Satisfaction: measures the instructional delivery of content, and is captured for both internal and external training.
2. Confidence: measures the ease of how the information taught is being absorbed and understood.

These first two components are captured immediately after class. The third component is captured and reported for internal trainings. Each measure has four ratings from excellent to poor.

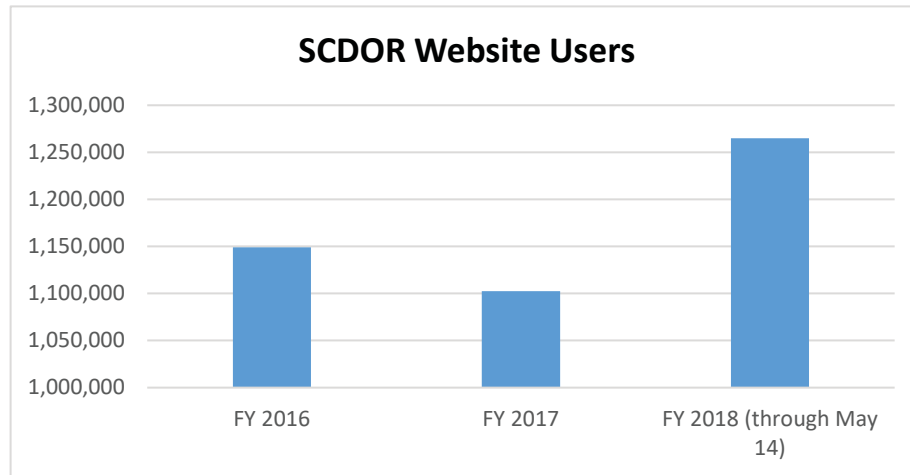
3. Application: measures the efficiency of the skills taught to the frequency of training offered, and is captured once the employee has had time to utilize the skills taught in their job, approximately two weeks after training has occurred.



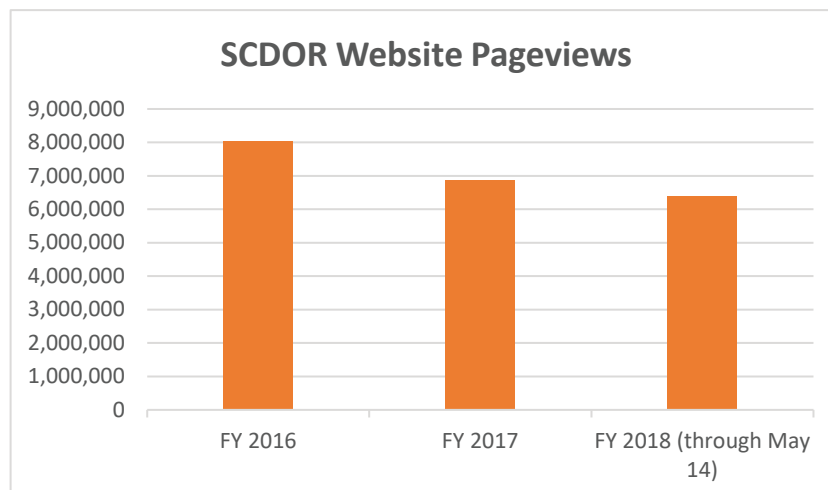


We also utilize a variety of communication channels including agency website and social networks to connect with external stakeholders. The SCDOR informs, educates, and promotes engagement through three key online communication channels – website, social media networks, and e-marketing. By broadening the scope of outreach and providing easy, 24/7 access to the information and resources to taxpayers, the agency’s increased and enhanced use of online communication channels supports our goal to maximize voluntary compliance.

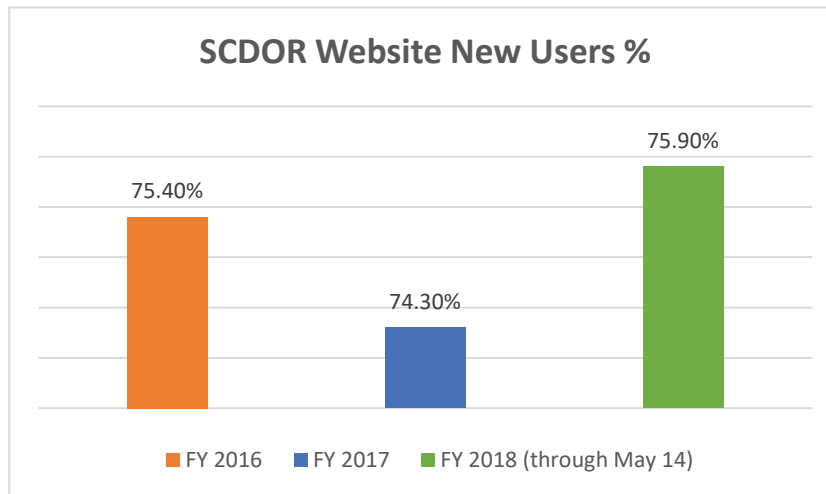
Performance indicators for website success include users, pageviews, and percentage of new users. From Fiscal Year 2016 to Fiscal Year 2018, website users increased by 10%. The numbers of users is a key indicator of the number of stakeholders we are reaching.



We launched a new agency website in 2015 and have seen a steady improvement in use and engagement each year since. Several University of South Carolina (USC) survey respondents reported that our current website is “helpful” and “easy to navigate.” From Fiscal Year 2016 to Fiscal Year 2018, pageviews decreased by 15%. A decrease in pageviews could be a result of better organization and consolidation of information; users are not clicking around looking for answers. Similarly, as taxpayers continue to become accustomed to using our new online tax portal, MyDORWAY (MyDORWAY.dor.sc.gov), they visit that site directly when they need to manage their tax accounts rather than stopping at dor.sc.gov first.



From Fiscal Year 2016 to Fiscal Year 2018, percentage of new users averaged 75.2%. Reflecting the percentage of total website users who are first-time users, the percentage of new users suggests that we are continually engaging new audiences.



For the past three years, we have used social media networks Facebook and Twitter to expand and enhance outreach to taxpayers and stakeholders. Key performance indicators for these social media channels include the number of followers and number of impressions. From Fiscal Year 2016 to Fiscal Year 2018, the number of page likes on Facebook increased by 195%. From Fiscal Year 2016 to Fiscal Year 2018, the number of followers on Twitter increased by 22%.

Also in 2015, we transitioned from an outdated listserv platform to a more modern, functional, and secure e-marketing platform. Presently, taxpayers and stakeholders can subscribe to a variety of email lists to receive updates from various areas of the agency. We measure the number of subscribers across all of our lists. From Fiscal Year 2016 to Fiscal Year 2018, the number of subscribers increased by 253%. The number of subscribers reflects the number of individuals who receive our email content.

- What, if any, entity (i.e., a local/state/federal government entity or a private entity in SC or another state) is the best at meeting that standard?
No other comparable state agency.
- Why does the agency consider that entity the best (most efficient, obtains best outcomes, efficient and obtains best outcomes, obtains best outcomes with limited resources, etc.)?
N/A
- Actions taken by the agency to obtain ideas on processes or best practices that will allow the agency to continually improve.
For external educational opportunities, we gather written feedback from every participant to gain ideas for future seminar topics, locations and logistics. We seek key agency personnel for advice on content of taxpayer educational seminars to best meet market demand. We also have plans to seek feedback from external stakeholders on desired trainings.

To obtain internal data on ideas for future educational experiences, the training department is conducting a survey of all personnel to determine needs. The survey is being conducted in three parts: 1) senior management, 2) all management, excluding senior, and 3) lead workers/employee. We will use this data to align training needs and expectations from all levels.

To enhance our online presence, we are continually researching best practices for web design and social media management. We have been contacted by tax departments in other states who look to the SCDOR as a model in social media management for tax agencies. We will continue to stay on the pulse of the latest trends in social media and web design, in the government industry and beyond, to ensure we are meeting the needs of our stakeholders by making information accessible to increase compliance.

Deliverable: Successful Security Audits

- o What is the ideal benchmark outcome? How did the agency determine this to be the benchmark outcome?

The ideal bench mark outcome of successful security audits is the percentage of external security assessments and audits passed successfully.

There are several perspectives that the SCDOR takes on audit outcomes.

First -- An audit or assessment by an external entity is successful if the external entity determines that SCDOR's audit results are sufficient to allow SCDOR to continue the operation for which it is being audited. For example: 1) a PCI DSS assessment for credit card security passes, which allows the SCDOR to continue to accept Visa and Master Card credit card payments; 2) an IRS Safeguards assessment for Federal tax data security passes, which allows SCDOR to continue to receive Federal tax records from the IRS.

Second -- The second perspective is a stricter security objective. The SCDOR endeavors to far exceed the level of security that is typical of government agencies, because governmental agencies do not have a strong record in cybersecurity. The SCDOR's security is based on IRS standards and informed in certain areas by military-grade security. Hypothetically, the ideal benchmark outcome would be zero findings as a result of an external security audit. From a practical standpoint, assessments and audits always result in findings. Therefore, the SCDOR asks external auditors and assessors for a statement about how SCDOR compares to other organizations that they have reviewed.

Typical SCDOR results are as follows:

- "One of the most secure organizations that we have ever seen." – 2018 assessments by two world-class cybersecurity firms, whose credentials include federal counterintelligence experience at national and international levels.
- "The best IRS Safeguards assessment results that we have ever been a part of. An example that shows that it can actually be accomplished." – 2016 IRS Safeguards assessment exit debriefing.
- "Successfully passed for certification" - PCI DSS external vulnerability assessments of SCDOR's credit card processing web sites, conducted 4 times a year, for the past 3 years.

Third -- There are quantified risk analysis scores assigned to audit and assessment findings. The SCDOR has established resolution time goals for correcting security findings that are in line with or are better than best-practices established by the cybersecurity industry.

- o What, if any, entity (i.e., a local/state/federal government entity or a private entity in SC or another state) is the best at meeting that standard?

Cybersecurity audits and assessments are considered confidential and proprietary information. Information about who is best at meeting a standard is not generally available. The SCDOR proxies that information by contracting with world-class auditors and assessors, then asking for their feedback about how the SCDOR compares to other organizations. Example results are stated in the second paragraph of the previous question.

- o Why does the agency consider that entity the best (most efficient, obtains best outcomes, efficient and obtains best outcomes, obtains best outcomes with limited resources, etc.)? For the reasons stated above the SCDOR uses the expert opinion to benchmark its security posture.
- o Actions taken by the agency to obtain ideas on processes or best practices that will allow the agency to continually improve.
The SCDOR contracts with very highly qualified experts to examine and report on the quality and effectiveness of the agency's cybersecurity protection. These reports include recommendations for continuous improvement.

V. Strategic Plan Summary

- 17. Please complete the **Comprehensive Strategic Plan Summary Chart** tab in the attached Excel document.

VI. Agency Ideas/Recommendations (Study Step 3: Recommendations)

A. Internal Changes

- 18. Please list any ideas agency representatives have for internal changes at the agency that may improve the agency's efficiency and outcomes. These can be ideas that are still forming, things agency representatives are analyzing the feasibility of implementing, or things agency representatives already have plans for implementing. For each, include as many of the following details as available:
 - a. Stage of analysis;
 - b. Board/Commission approval;
 - c. Performance measures impacted and predicted impact;
 - d. Impact on amount spent to accomplish the objective(s); and
 - e. Anticipated implementation date.

The SCDOR must continually evaluate the potential impacts of environmental, economic, technological changes and evolve our structure, functionality and services to remain relevant and successful in achieving our mission. Recent organizational changes in three key areas -- Appeals; CISO and Information Technology; and Audit -- are designed to increase

program efficiency and productivity and provide better service to South Carolina taxpayers and stakeholders.

Appeals

The SCDOR is in the process of implementing a new independent Appeals unit. The mission of Appeals is to resolve revenue and regulatory controversies within the jurisdiction of the SCDOR—without litigation—in a fair and impartial manner and with the ultimate goal of increasing voluntary compliance and public confidence in the integrity and efficiency of the SCDOR.

Under existing procedures, a taxpayer who protests an SCDOR assessment may request an appeals conference to review the initial audit findings and consider the objections raised in his written protest. This appeals conference is conducted by the auditor and audit supervisor who originally conducted the audit and approved the audit findings. If the appeals conference is unsuccessful in resolving the dispute, the file is forwarded to the Department's Office of General Counsel to be litigated in the Administrative Law Court.

From the taxpayer's perspective, the current procedure fails to provide taxpayers any assurance that they have received a meaningful, independent review of a disputed matter. Instead, taxpayers believe that if they disagree with the SCDOR's initial decision, their only recourse is to seek relief from the courts. When taxpayers perceive they have not received a fair appeals process, more tax controversies are litigated which results in an increased cost and burden on both the taxpayer and the State.

The newly created Appeals unit provides taxpayers with an impartial review for all tax disputes, outside the audit function and before the matter is referred to the Office of General Counsel for litigation. The appeals process is less formal and less costly than litigation; taxpayers do not waive any rights to judicial review by utilizing the appeals process. The Appeals unit strives to be objective, impartial, and neutral. The Appeals unit has the authority to settle disputes with a taxpayer after reviewing a variety of information, including the quality of evidence, witness credibility/availability, whether the taxpayer can meet the requisite burden of proof, doubt as to issues of fact or conclusions of law, and the desirability of a judicial decision.

The Appeals unit will be headed by Ray Stevens, a former Administrative Law Judge, SCDOR Director, and tax attorney; his team conducts all appeals conferences and provides an impartial review of each matter.

CISO and Information Technology

SCDOR has adopted a cybersecurity organizational structure that is emphasized as a best-practice for modern organizations to achieve a high level of security. The agency's security structure is modeled on recommended strategies by several respected authorities (see reference list below). A key organizational characteristic that has been instrumental in transforming SCDOR into a high-security organization is the independence of the CISO (Chief Information Security Officer) from the CIO (Chief Information Officer).

The CISO and CIO at SCDOR are peers that report to the Deputy Director level. The CISO staff evaluates and approves technology decisions through a chain-of-command outside of the IT organization. Technology alone does not create strong security, but a large part of security is related to the proper implementation of technology. CISO independence and executive

visibility provides the authority needed to balance security with the pressures from business expectations for IT to deliver technology quickly.

The SCDOR has also created a strong partnership with the South Carolina Division of Information Security (SCDIS) and the South Carolina Division of Technology (SCDTO) in two important ways. First, cybersecurity monitoring is a joint initiative between SCDOR and SCDIS. Monitoring is performed by SCDOR staff and technologies that are tightly coordinated in all daily activities with the SCDIS security operations center. Secondly, the SCDOR is a strong participant in the Department of Administration's Strategic IT Plan. The SCDOR utilizes state-approved technologies and SCDOR staff are chairing some committees to establish statewide IT standards.

Cybersecurity Organization References:

1. "Structuring the Chief Information Security Officer Organization," Carnegie Mellon University, September 2015, CMU/SEI-2015-TN-007
2. "Governing for Enterprise Security," Carnegie Mellon University, August 2007, CMU/DEI-2007-TN-020
3. "Ten Strategies of a World Class Cybersecurity Operations Center," MITRE Corporation, 2014
4. "Building a World Class Security Operations Center," SANS Institute, May 2015

Audit Services

The reorganization of Audit Services is a significant ongoing change, involving employees changing roles, adding additional talent, realigning teams, and streamlining policies, procedures and guidelines. Executing these changes will produce a positive impact on performance measures and results.

In July 2017, the SCDOR embarked on a new examination and enforcement approach to eliminate inefficient audit procedures/guidelines and address inconsistent allocation of staff. An increased emphasis on taxpayer education is a top priority. Education is strongly associated with higher levels of voluntary compliance. The SCDOR continues to look for ways to keep the voluntary compliance rate high, including educational efforts aimed at preparers and taxpayers, ongoing efforts to improve compliance in the intrastate arena, and working with businesses.

Because of the increased technical requirements to accomplish thorough and fair audit examinations, qualified staffing is vital to success. This along with an increase in population has created a challenging environment to administer the revenue and regulatory laws. Increasing audit staff who specialize in tax administration is essential. We have addressed immediate needs by hiring a Statewide Audit Manager, Audit Support Manager, and a Technical Training Auditor. We re-established an audit presence in the Pee Dee region by staffing auditors in our Florence office. Additionally, we are in the process of recruiting and hiring a minimum of 23 additional auditors to meet the unique tax needs in each community throughout the state.

A consistent audit selection program is vital to instill confidence in the tax system. We are seeking to hire an Audit Selection Manager who will utilize tools within our tax processing system, DORWAY, for data mining and sampling.

The following newly created sections are part of an effort to increase efficiencies and build organizational capacity to best address future audit needs:

- The Miscellaneous Tax section will have a focused approach with an increased specialization to motor fuel tax, tobacco tax, bingo tax and the job development credit requirements.
- The Audit Support section will concentrate on staff development, audit selection, computer assisted audits and criminal fraud guidance.
- Audit Review team will conduct periodic program reviews to determine adherence to procedures, evaluate program effectiveness, validate policies, and identify proven practices.

The reorganization of Audit Services ensures a consistent application of policies, procedures and tax law while protecting taxpayers' rights.

B. Law Changes

19. Please review the laws chart to determine ways agency operations may be less burdensome, or outcomes improved, from changes to any of the laws. Also, check if any of the laws are archaic or no longer reflect agency practices. Afterward, list any laws the agency recommends the Committee further evaluate. For each one, include the information below.

- a. Law number and title;
- b. Summary of current law;
- c. Recommendation (eliminate, modify, or add new law) and rationale for recommendation;
- d. Law recommendation number;
- e. Wording of law, with recommended change provided in strike through and underline;
- f. Presented and approved by Board/Commission; and
- g. Other agencies that may be impacted by revising, eliminating, or adding the law.

Law Changes

1. Financial Institutions
2. Tax Liens
3. Alcohol Beverage Modernization – Festivals
4. Alcohol Beverage Modernization – Liability Coverage for Governmental Entities
5. Alcohol Beverage Modernization - Penalties
6. Credit for Energy Efficient Vehicles
7. Marketplace Facilitator

1. Financial Institutions

Summary of Current Law:

N/A

Recommendation:

SCDOR would like to participate in the Financial Institution Data Match (FIDM) program to share data files with financial institutions to identify financial assets of debtors with past due liabilities. This program will not provide new collection tools but provide a more streamline process to collect.

Other agencies that may be impacted:

Financial Institutions

Entities participating in the Debt Setoff or GEAR Program

Draft Language:

Chapter 54 of Title 12 is amended by adding the following section:

SECTION 1. Section 12-54-265. Notwithstanding any other provision of law, the department may submit to a financial institution, as defined in Section 63-17-2310(A)(2), information that identifies a debtor named on a warrant for distraint that has been issued and filed by the department or whose debt has been submitted to the department for collection under the provisions of Section 12-4-580. For purposes of debts named on warrants for distraint, the debt must be at least one hundred eighty days old from the date of assessment. The department may submit the information to the financial institution on a quarterly basis or, with the agreement of the financial institution, on a more frequent basis. A financial institution that receives the information must conduct a data match. The financial institution must then provide to the department, in a manner and form prescribed by the department, information concerning the debtor for purposes of collecting outstanding debts. The information provided to the department must include, but is not limited to, the information required pursuant to Section 63-17-2320(A). The financial institution must be paid a reasonable fee out of the collected funds not to exceed actual cost.

SECTION 2. This Act takes effect upon the signature of the Governor.

2. Tax Liens

Summary of Current Law:

Currently, SCDOR files tax lien notices with each county in which a warrant for distraint applies.

Recommendation:

Amend current law to allow SCDOR to implement a centralized system of filing and indexing of tax liens that is accessible to the public through SCDOR's website. Instead of filing liens with each county interested parties will be able to search the entire state for tax liens through one centralized source.

Other agencies that may be impacted:

Local Jurisdictions

Draft Language:

Section 12-54-122(G) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

SECTION 1. Instead of filing a tax lien notice pursuant to item (1), the department may implement a system of filing and indexing liens which must be accessible to the public over the Internet or through other means as the department considers appropriate. A lien filed pursuant to this item is effective statewide from the date and time it is recorded and encumbers all the taxpayer's property and rights to property as provided in Section 12-54-120, regardless of the property's location. A lien filed pursuant to item (1) remains effective from the date and time it was recorded. Nothing in this item may be construed so as to extend the effectiveness of a lien beyond ten years from the date of filing, as provided in Section 12-54-120.

3. Alcohol Beverage Modernization - Festivals

Summary of Current Law:

The current law does not allow for SCDOR to issue permits and licenses for the sale of liquor by the drink at a festival, for multiple locations and multiple days, through one application.

Recommendation:

Add new language to streamline the process whereby festivals can serve alcohol.

Other agencies that may be impacted:

South Carolina Law Enforcement Division

Draft Language:

Chapter 6, Title 61 of the 1976 Code is amended by adding:

SECTION 1. Section 61-6-2017. (A) This section authorizes the department to issue a festival liquor by the drink license, not to exceed a period of five days that can be used on any day of the week subject to the requirements of Section 61-6-2010(C) and (D), to an applicant that meets the following requirements:

(1) the festival must have a total beneficial economic impact in an amount exceeding one million dollars to the immediate community in which the festival is held, which may be based on economic information from previous years;

(2) the festival, on a daily basis, must be bona fide engaged primarily and substantially in the preparation and serving of meals as defined in Section 61-6-20(2);

(3) the festival must have a projected attendance of at least thirty thousand people during the time the festival is held, and past attendance may be considered;

(4) the festival has engaged and continues to engage in tourism promotion;

(5) the festival is held in a defined premises that is separate and apart from other areas, and is enclosed by a fence or other type of enclosure for the duration of the festival with a controlled, restricted access;

(6) the festival applicant shall establish a procedure that requires sufficient identification to determine that individuals who have paid for entrance to the festival and who are purchasing alcoholic beverages meet the age requirements to consume alcohol and further requires those individuals purchasing alcoholic beverages maintain in their possession a personal identifier that is easily identified by a server of alcoholic beverages, as well as requiring that alcoholic beverages are served in beverage containers that are distinct in color or design from the beverage containers used to serve nonalcoholic beverages; and

(7) the festival shall employ a security service licensed by the State Law Enforcement Division.

(B) Except as otherwise provided in this subsection, a festival liquor by the drink license shall be issued to a qualifying applicant only once a year. If, after a license has been issued, the festival is not held, the festival organizer or holder of the festival liquor by the drink license must notify the department within forty-eight hours of the decision to not hold the festival and return the license to the department and may apply for another festival liquor by the drink license in the same year.

(C) The department shall charge a nonrefundable filing fee of thirty-five dollars for processing an application for a festival liquor by the drink license. Applications for the festival liquor by the drink

license must also be accompanied by the license fee of three thousand dollars payable to the department. License fees must be deposited with the State Treasurer or are refundable if a license is not issued or is returned in accordance with subsection (B). The application must include a statement by the applicant as to the nature, acreage of location, information requested in subsection (A), and dates of the festival. All of the buildings and grounds of the defined festival location that are under the direct control of the festival liquor by the drink license holder are presumed to be the premises used by the licensee to conduct the festival, including, but not limited to, the areas designated within the festival for entertainment, cultural events, food and beverage services, and retail spaces. The department in its discretion may specify the terms and conditions of the license, pursuant to existing statutes and regulations governing these applications.

(D) The department shall require the applicant to complete the law enforcement notification contained in an application form and submit it with the application. The law enforcement notification provision shall be prepared by the department for inclusion in the application and, at a minimum, must contain sufficient information to inform the department that either the chief of police, if the event is located within the city limits, or the county sheriff has been notified of the temporary license application and given an opportunity to object.

(E) The applicant must undergo a state criminal records check, supported by fingerprints, by the State Law Enforcement Division, and a national criminal records check, supported by fingerprints, by the Federal Bureau of Investigation. The results of these criminal record checks must be reported to the department. The applicant is responsible for all costs associated with the criminal record checks. The department shall deny the application if the criminal record checks are not submitted with the application and filing fee or if they are obtained more than ninety days before the date of the festival.

(F) This section does not prohibit an applicant for a festival liquor by the drink license to apply for a temporary beer and wine permit, pursuant to Section 61-4-550.

(G) The issuance of this license authorizes the festival liquor by the drink licensee to purchase alcoholic liquors from licensed retail dealers in the same manner that a person with a biennial license issued pursuant to subarticle 1 of this article purchases its alcoholic liquors.

(H)(1) In addition to all other requirements, a licensee under this section is required to obtain a general liability or tort insurance policy that does not exclude liquor liability, a liquor liability insurance policy, or a general liability insurance policy with a liquor liability endorsement with a total coverage of at least one million dollars during the period of the festival. Failure to maintain this coverage constitutes grounds for suspension or revocation of the license. Each applicant for this license shall include in the application for the festival liquor by the drink license documentation of the required policy in the required amounts.

(2) Each insurer writing a general liability or tort insurance policy that does not exclude liquor liability, a liquor liability insurance policy, or a general liability insurance policy with a liquor liability endorsement to a person licensed under this section for a festival liquor by the drink license must notify the department in a manner prescribed by the department regulation of the lapse or termination of the required insurance.

SECTION 2. This Act takes effect upon the signature of the Governor.

4. Alcohol Beverage Modernization – Liability Coverage

Summary of Current Law:

The current tort claims act as it relates to liability coverage for governmental entities does not satisfy the requirements set forth for governmental entities who hold an alcohol beverage on premise consumption license.

Recommendation:

Modify existing statute to allow the liability coverage provided by the tort claims act for governmental entities to satisfy the liability coverage required for a governmental entity to hold an alcohol beverage on premise consumption license.

Other agencies that may be impacted:

South Carolina Insurance Reserve Fund

Draft Language:

Section 61-2-145 is amended by adding an appropriately numbered item at the end to read:

SECTION 1. During the period of the biennial permit or license, a governmental entity licensed or permitted to sell alcoholic beverages for on premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on premises consumption, is required to maintain a tort insurance policy that does not exclude liquor liability.

SECTION 2. This Act takes effect upon the signature of the Governor.

5. Alcohol Beverage Modernization – Penalties

Summary of Current Law:

There are penalty provisions contained in the statute that are not consistent. The SCDOR has used policy document guidelines as a guide in applying penalties that are on occasion not accepted by the courts.

Recommendation:

This proposed legislation will provide consistent statutory guidance for the SCDOR and the courts in applying penalties.

Other agencies that may be impacted:

South Carolina Law Enforcement Division

Draft Language:

Amend Title 61, Chapter 2 by adding the following section:

SECTION 1. (A) Notwithstanding any other provision in Title 61, the Department has the sole authority to revoke or suspend any license issued under Title 61 for any violation of this title.

(B) Should the Department not use the authority allowed in subsection (A) of this section the following penalties shall be imposed for any violation of this Title:

- (1) First offense there shall be imposed a penalty on the license holder of not less than five hundred dollars;
- (2) Second offense there shall be imposed a penalty on the license holder of not less than one thousand dollars;

- (3) Third offense there shall be imposed a penalty of suspension of the license issued under this Title of not less than forty-five days;
- (4) Fourth offense there shall be imposed a penalty of revocation of the license issued under this Title.
The Department shall review the prior three years from the date of the most recent violation to determine which offense applies.

SECTION 2. This Act takes effect upon the signature of the Governor.

6. Credit for Energy Efficient Vehicles

Summary of Current Law:

The current law allows for an income tax credit for the purchase of new qualified fuel cell motor vehicles, advanced lean burn technology motor vehicles or hybrid motor vehicles meeting federal criteria. Unfortunately, the federal code section providing the criteria has been repealed leaving no guidelines to determine eligibility.

Recommendation:

Modify existing statute to provide clear guidelines to determine eligibility for the credit.

Other agencies that may be impacted:

None

Draft Language:

Amend Title 12, Chapter 6 by adding the following new section:

SECTION 1. (A) For tax years beginning on or after January 1, 2018 and before January 1, 2021, a resident individual taxpayer is allowed an income tax credit for the purchase of a new motor vehicle that meets the requirements of subsection (D). The credit must be claimed for the tax year in which the new motor vehicle is purchased.

(B) The credit amount for any new motor vehicle is:

(1) one hundred dollars for each new motor vehicle for which the mileage is at least forty-five but less than fifty-five; or

(2) three hundred dollars for each new motor vehicle for which the mileage is at least fifty-five.

(C) The credit allowed by this section is nonrefundable. If the amount of the credit exceeds the taxpayer's income tax liability for the applicable tax year, any unused credit may be carried forward for five years.

(D) For purposes of this section:

(1) 'new motor vehicle' means a car or truck that:

(a) is classified as a 'private passenger motor vehicle' pursuant to Section 56-3-630;

(b) is registered for operation upon the highways in this State; and

(c) has incurred five thousand or fewer miles at the time of purchase.

(2) 'mileage' means the combined miles per gallon of gasoline ("MPG") or miles per gallon of gasoline equivalent ("MPGe") for the make and model of the vehicle as published in the Fuel Economy Guide for the applicable model year.

(3) 'Fuel Economy Guide' means the annual Fuel Economy Guide published by the United States Department of Energy, Office of Energy Efficiency and Renewable Energy, and the United States Environmental Protection Agency.

SECTION 2. This act takes effect upon approval by the Governor and applies to income tax years beginning on or after January 1, 2018 and before January 1, 2021.

7. Marketplace Facilitator

Summary of Current Law:

There is no law related to taxation of third party sales.

Recommendation:

Definitions have been revised in Chapter 36 of Title 12 to ensure that third party sales will be subject to tax.

Other agencies that may be impacted:

None

Draft Language:

Amend Code Section 12-36-70 as follows:

SECTION 1. Section 12-36-70.

Retailer and seller include every person:

- (1)(a) selling or auctioning tangible personal property whether owned by the person or others;
 - (b) furnishing accommodations to transients for a consideration, except an individual furnishing accommodations of less than six sleeping rooms on the same premises, which is the individuals place of abode;
 - (c) renting, leasing, or otherwise furnishing tangible personal property for a consideration;
 - (d) operating a laundry, cleaning, dyeing, or pressing establishment for a consideration;
 - (e) selling electric power or energy;
 - (f) selling or furnishing the ways or means for the transmission of the voice or of messages between persons in this State for a consideration. A person engaged in the business of selling or furnishing the ways or means for the transmission of the voice or messages as used in this subitem (f) is not considered a processor or manufacturer;
-
- (2)(a) maintaining a place of business or qualifying to do business in this State; or
 - (b) not maintaining an office or location in this State but soliciting business by direct or indirect representatives, manufacturers agents, distribution of catalogs, or other advertising matter or by any other means, and by reason thereof receives orders for tangible personal property or for storage, use, consumption, or distribution in this State.

(3) operating a marketplace as a marketplace facilitator, as defined in Code Section 12-36-71.

The department, when necessary for the efficient administration of this chapter, may treat any salesman, representative, trucker, peddler, or canvasser as the agent of the dealer, distributor, supervisor, employer, or other person under whom they operate or from whom they obtain the tangible personal property sold by them, regardless of whether they are making sales on their own behalf or on behalf of the dealer, distributor, supervisor, employer, or other person. The department may also treat the dealer, distributor, supervisor, employer, or other person as a retailer for purposes of this chapter.

Amend Title 12, Chapter 36 by adding the following section:

SECTION 2. Section 12-36-71: Marketplace facilitator means any person who facilitates a retail sale of tangible personal property by (1) listing or advertising another person's products in any marketplace where sales at retail occur, whether physical or electronic, including stores, booths, catalogs, Internet websites, and similar places, and (2) processing the payment from the customer, either directly or indirectly through a third party, regardless of whether the marketplace facilitator receives compensation or other consideration in exchange for its services. A marketplace facilitator includes any related entities assisting in sales, storage, distribution, payment processing, or in any other manner with respect to the marketplace.

For purposes of this chapter, retail sales of tangible personal property made through a marketplace facilitator's marketplace are considered retail sales by the marketplace facilitator, and the marketplace facilitator is considered to be engaged or continuing within this State in the business of selling tangible personal property at retail and a retailer maintaining a place of business in this State.

Amend Code Section 12-36-90(1)(a) as follows:

SECTION 3. Section 12-36-90.

Gross proceeds of sales, or any similar term, means the value proceeding or accruing from the sale, lease, or rental of tangible personal property.

(1) The term includes:

(a) the proceeds from the sale of property sold on consignment by the taxpayer or from the sale of tangible personal property sold through a marketplace facilitator's marketplace;

Amend Code Section 12-36-130(1) as follows:

SECTION 4. Section 12-36-130.

Sales price means the total amount for which tangible personal property is sold, without any deduction for the cost of the property sold, the cost of the materials used, labor or service cost, interest paid, losses, or any other expenses.

(1) The term includes:

(a) any services or transportation costs that are a part of the sale, whether paid in money or otherwise; and

(b) any manufacturers or importers excise tax imposed by the United States; and,

(c) the proceeds from the sale of property sold on consignment by the taxpayer or from the sale of tangible personal property sold through a marketplace facilitator's marketplace.

Amend Code Section 12-36-1340 as follows:

SECTION 5. Each seller making retail sales of tangible personal property for storage, use, or other consumption in this State shall collect and remit the tax in accordance with this chapter and shall obtain from the department a retail license as provided in this chapter, if the retail seller:

- (1) maintains a place of business;
- (2) qualifies to do business;
- (3) solicits and receives purchases or orders by an agent, independent contractor, representative, Internet websites, or any other means or salesman; or
- (4) distributes catalogs, or other advertising matter, and by reason of that distribution receives and accepts orders from residents within the State.

SECTION 6. This act takes effect the first day of the third month after the signature of the Governor.

VII. Additional Documents to Submit

A. Reports

19. Please provide an updated version of the Reports Template from the Accountability Report. In the updated version, please do the following:

Please see Exhibit 4: Reports Template from the Accountability Report

- a. Add any reports necessary so the chart is current as of the date of submission of the Program Evaluation Report and include:
 - i. Audits performed on the agency by external entities, other than Legislative Audit Council, State Inspector General, or State Auditor's Office, during the last five years;

IRS Compliance Review
E911 Cost Study
Criminal Justice Information Service Compliance Review
Payment Card Industry Compliance Review
Procurement Compliance Review

- ii. Audits performed by internal auditors at the agency during the last five years;

As mentioned in Section II.C.8 of this PER, most of the internal audits conducted are compliance related in nature and include reviewing information technology and security. As such, Internal Audit Reports are not posted online or made available to the public due to the sensitivity of the information being reviewed.

- iii. Other reports, reviews or publications of the agency, during the last five years, including fact sheets, reports required by provisos, reports required by the federal government, etc.; and

See Exhibit 5: Reports Not Published Online

- b. Include the website link for each document in the “Method to Access the Report” column, if website link is available. If website link is not available, enter the method by which someone from the public could access the report. If the method is to call or send a request to the agency, please specify to whom the request must be sent and any details the individual must include in the request.

See Exhibit 4: Reports Template from the Accountability Report

- c. Submit an electronic copy of any internal audits that are not posted online.

As mentioned in Section II.C.8 of this PER, most of the internal audits conducted are compliance related in nature and include reviewing information technology and security. As such, Internal Audit Reports are not posted online or made available to the public due to the sensitivity of the information being reviewed.

B. Organizational Charts

20. Please submit electronic copies of the agency’s organizational chart for the current year and as many years back as the agency has readily available.

Please see Exhibit 3.

C. Glossary of Terms

21. Please submit a Word document that includes a glossary of terms, including, but not limited to, acronyms used by the agency.

SCDOR INTERNAL WORKING TERMS	
TERM or ACRONYM	DESCRIPTION
ABL	Alcohol Beverage License
ACH	Automated Clearing House
ACL	Audit Command Language
ACS	Automated Collection System
ALJ	Administrative Law Judge
APM	Associate Public Manager
APT	Advanced Persistent Threat
ARMS	Automated Receivable Management System
BPP	Business Personal Property
BTR	Business Taxpayer Registration
CAMA	Computer Assisted Mass Appraisal
CCD	Cash Concentration or Disbursement
CH	Channel Management
CI	Criminal Investigations
CIO	Chief Information Officer
CISO	Chief Information Security Officer
CNV	Conversion
COC	Certificate of Compliance
COD	Coin Operated Device

Compliance	May refer to either taxpayer compliance or SCDOR compliance with external regulatory bodies
CPA	Certified Public Accountant
CPM	Certified Public Manager
CRM	Customer Relationship Management
DASD	Direct Access Storage Device
DBA	Doing Business As
DBMS	Database Management System
DD	Department Determination
DFU	District Function Unit
DLN	Document Locator Number
DLP	Data Loss Prevention
DORWAY	SCDOR's new consolidated tax processing system
EC	Enforced Compliance
EDI	Electronic Data Interchange
EI	Entity Identification
EIN	Employer Identification Number
EPMS	Employee Performance Management System
EFT	Electronic Funds Transfer
EFW	Electronic Funds Withdrawal
ELF	Electronic Filing Program
EWB	Employer Withholding
FAQ	Frequently Asked Questions
FEIN	Federal Employer Identification Number
FILOT	Fee in Lieu of Tax
FLSA	Fair Labor Standards Act
FMLA	Family Medical Leave Act
FO	May refer to SCDOR's Field Operations Division or a Field / district Office
FTE	Full-Time Employee/Equivalent
FTF	Failure to File
FTI	Federal Tax Information (information provided by the IRS)
FY	Fiscal Year
GEAR	Governmental Enterprise Accounts Receivable
GL	General Ledger
GS	SCDOR's Government Services Division
HQ	Headquarters
HR	SCDOR's Human Resources Department
The Huddle	SCDOR's Intranet for Employees
IA	SCDOR's Internal Audit Division
IDT	Interdepartmental Transfer
IDV	Identity Verification
IIT	Individual Income Tax
IL	Information Letter
ILT	Instructor-Led Training
IMF	Infrastructure Maintenance Fee
IPS	Intrusion Protection System
IRS	Internal Revenue Service
IT	Information Technology

ITSS	Integrated Tax Support Services
IVR	Interactive Voice Response
JDC	Job Development Credit
JRT	Job Retraining Credit
LAN	Local Area Network
LAPS	Local Administrator Password System
LBD	Liquor By the Drink
LLC	Limited Liability Corporation
LLP	Limited Liability Partnership
LMS	Learning Management System
LOST	Local Option Sales Tax
MeF	Modernized e-File
MMO	Materials Management Operation
MRS	Miscellaneous Refund System
MyDORWAY	SCDOR's online portal for taxpayers to use to register, file taxes, make payments, and more
NAICS	North American Industrial Classification System
NEO	New Employee Orientation
NOC	Notification of Change
NOPA	Notice of Proposed Adjustment / Assessment
OC	Outbound Correspondence
OGC	SCDOR's Office of General Counsel
OJT	On the Job Training
OWA	Outlook Web Application
PCI	Payment Card Industry
PCVD	Period Covered
PD	Position Description
P&I	Penalty & Interest
PI	Personal Information
PII	Personal Identifying Information
PKI	Public Key Infrastructure
PNOA	Proposed Notice of Assessment / Adjustment
PO	Purchase Order
POA	Power of Attorney
PS	SCDOR's Protective Services
RA	Tax Revenue Accounting
RDA	Rural Development Act
Revenue	May refer to tax revenue / collections or SCDOR budget
RIA	Registered Investment Advisor
RO	Revenue Officer
ROB	Rules of Behavior
RP	Revenue Procedure
RR	Revenue Ruling
SANS	SysAdmin Audit Network Security
SCBOS	SCDOR's South Carolina Business One Stop
SCEWS	SCDOR's South Carolina Employer Withholding
SCEIS	South Carolina Enterprise Information System
SDT	Secure Data Transfer
SIC	Standard Industrial Code

SID	Single Identification Number
SME	Subject Matter Expert
SOA	Sales Office Audit
SOL	Statute of Limitations
SP	Sole Proprietor
SQR	Solution Request
SSN	Social Security Number
SSR	IRS Safeguard Security Report
STI	State Tax Information
SWAMP	Solid Waste Management & Policy Act
TA	Taxpayer Assistance
TAO	Taxpayer Assistance Office
TAS	Taxpayer Accounting System
TBS	SCDOR's Taxpayer & Business Services Division
TDS	Transcript Delivery System (from the IRS)
TIF	Tax Increment Financing
TOP	Treasury Offset Program
TP	Taxpayer
TRB	Technology Review Board
TS	SCDOR's Technology Services
VITA	Volunteer Income Tax Assistance Program
VOIP	Voice Over Internet Protocol
WAN	Wide Area Network
WH	Withholding
WITS	Work Item Tracking System

EXTERNAL STAKEHOLDERS	
ACRONYM (if applicable)	NAME
AICPA	American Institute of Certified Public Accountants
	Attorney General's Office
	Avalara (Zytax)
	Banks/Financial Institutions
BWA	Beer Wholesalers Association
BEA	Board of Economic Advisors
CPAA	Certified Public Accountants Association
	Chambers of Commerce
	Citizens of South Carolina
	Clemson Data Center
	Clemson University Extension
CG	Comptroller General
	Counties
CJIS	Criminal Justice Information Services
	Economic Development Attorneys
EDO	Economic Development Organization
	Elected Officials
ETAAC	Electronic Tax Administration Advisory Committee (IRS)
FAST	FAST Enterprises
FTA	Federation of Tax Administrators

	Film Commission
GFAO	Government Finance Officers Association of South Carolina
SCGSAH	Governor's School for the Arts & Humanities
	House Ethics Committee
	Housing Authorities
	Immedion, LLC
	Institutions of Higher Learning
IRS	Internal Revenue Service
LAC	Legislative Audit Council
LOC	Legislative Oversight Committee
	Lexington County Fire Marshall
	Lexington County Sheriff's Department
	Manufacturers
	Media
MTC	Multistate Tax Commission Accounting Firms
MASC	Municipal Association of South Carolina
NATPTAX	National Association of Tax Professionals
NACHA	National Automated Clearing House Association
NCIC	National Crime Information Center
	Nonpublic Postsecondary Institution Licensing
ORS	Office of Regulatory Staff
	Online Tax Alliance
PCI	Payment Card Industry
	Peer State's Departments of Revenue
	Probation, Parole & Pardon Services
	Public Libraries
	Public Service Commission
	Regulated Businesses (ABL/Bingo)
RFA	Revenue Fiscal Affairs Office (RFA)
	Santee Cooper
SCANA	SCANA
	SCDOR Personnel
	Senate Ethics Committee
	Senate Finance Committee
	Source HOV
	South Carolina Association of Assessing Officials
	South Carolina Association of Auditors, Treasurers and Tax Collectors
	South Carolina Association of Automobile Dealers
SCACPA	South Carolina Association of Certified Public Accountants
	South Carolina Association of Counties
SCAG	South Carolina Attorney General Office
SCATS	South Carolina Automated Tax System
	South Carolina Board of Accountancy
SC NATPTAX	South Carolina Chapter of the National Association of Tax Professionals
SCCB	South Carolina Commission for the Blind
SC CHE	South Carolina Commission on Higher Education
SCCJA	South Carolina Criminal Justice Academy
SCDOA	South Carolina Department of Administration

SCDA	South Carolina Department of Agriculture
	South Carolina Department of Commerce
SCDCA	South Carolina Department of Consumer Affairs
SCDC	South Carolina Department of Corrections
SC DDSN	South Carolina Department of Disabilities and Special Needs
SC DEW	South Carolina Department of Employment & Workforce
SC DHEC	South Carolina Department of Health & Environmental Control
SC DHHS	South Carolina Department of Health & Human Services
SC DOI	South Carolina Department of Insurance
SC DJJ	South Carolina Department of Juvenile Justice
SC LLR	South Carolina Department of Labor, Licensing, and Regulation
SC DMH	South Carolina Department of Mental Health
SC DMV	South Carolina Department of Motor Vehicles
SC DNR	South Carolina Department of Natural Resources
SC PRT	South Carolina Department of Parks, Recreation & Tourism
SC DPS	South Carolina Department of Public Safety
SCDOR	South Carolina Department of Revenue
SC DSS	South Carolina Department of Social Services
SCDOT	South Carolina Department of Transportation
SCDIS	South Carolina Division of Information Security
SC DSHR	South Carolina Division of State Human Resources
SCDTO	South Carolina Division of Technology
SCEL	South Carolina Education Lottery
SCEMD	South Carolina Emergency Management Division
	South Carolina Forestry Commission
	South Carolina General Assembly
SCITS	South Carolina Integrated Tax System
SLED	South Carolina Law Enforcement Division
SCIG	South Carolina Office of Inspector General
SCDPPPS	South Carolina Probation, Pardon, and Parole
SC PEBA	South Carolina Public Employee Benefit Authority Insurance Benefits
	South Carolina School Districts
SCSDB	South Carolina School for the Deaf and the Blind
SOS	South Carolina Secretary of State
SCSACCT	South Carolina Society of Accountants
SC SAO	South Carolina State Auditor's Office
	South Carolina State Ethics Commission
SFAA	South Carolina State Fiscal Accountability Authority
SCSIAA	South Carolina State Internal Auditors Association
STO	South Carolina State Treasurer's Office
SCWCC	South Carolina Workers Compensation Commission
SEATA	Southeastern Association of Tax Administrators
SEATA	Southeastern Association of Tax Administrators
SAS	Statistical Analysis Systems
	Tax Attorneys
TAPS	Tax Collectors Association of the Palmetto State
	Tax Preparer Software Vendors
	Tax Preparers
	Taxpayers (Individual, business, and property taxpayers)

IIA	The Institute of Internal Auditors
SBA	United States Small Business Association
TIGTA	United States Treasury Inspector General for Tax Administration
	Various Housing Authorities
	Vendors

VIII. Feedback (Optional)

After completing the Program Evaluation, please provide feedback to the Committee by answering the following questions:

22. What other questions may help the Committee and public understand how the agency operates, budgets, and performs?

None

23. What are the best ways for the Committee to compare the specific results the agency obtained with the resources the agency invested?

The Program Evaluation Report (PER) provides a comprehensive snapshot of the SCDOR mandates, deliverables, and operations and when considered along with our accountability reports, these sources should be the best avenue to begin such a comparison.

24. What changes to the report questions, format, etc., would agency representatives recommend?

The Comprehensive Finance worksheet may not be helpful information to the general public who are not familiar with the structure of governmental budgeting and accounting.

25. What benefits do agency representatives see in the public having access to the information in the report?

Public access to the PER and some of the worksheets may help citizens better understand what SCDOR does and does not do. The general public has some misperceptions about the responsibilities of the SCDOR. For example, some think SCDOR is responsible for writing the tax laws.

26. What are two-three things agency representatives could do differently next time (or it could advise other agencies to do) to complete the report in less time and at a lower cost to the agency?

We will use the review of our mandated deliverables on an annual basis going forward. While SCDOR actively practices strategic planning, the request in the PER for the deliverables provided a different perspective which we found beneficial.

We will continue our efforts to identify and use improved performance metrics.

27. Please provide any other comments or suggestions the agency would like to provide.

SCDOR appreciates the opportunity to provide information about the functions and responsibilities of our agency to the LOC. The process of this comprehensive review in preparing our response, although lengthy and detailed, has been a positive experience in that the deliverables worksheet is another tool we will use in making agency business decisions. We realize the benefit of reviewing the alignment of resource with mandated deliverables. SCDOR would like to ask what should we expect to see regarding prospective referencing by the LOC in years subsequent to our review - to what extent is LOC following up on us and other agencies?

Suggestions to current standard practices:

- 1) Consider adding to the standard practices to redact individual's names from public input prior to posting online - the comments made by the public may or may not be factual or truthful, however, they are given the option of remaining anonymous, so, there is no recourse for outright slander. And, since the information is published on a government website, the general public may believe the comments to be verified and truthful because the LOC is credible - unlike something posted on fitsnews. This could impact the individuals mentioned - even in the future seeking of a job.
- 2) Add to the standard practices to redact the following from public input prior to posting online - 1) IT/security related information; 2) and PII or other protected or confidential information individuals may share; and 3) agency specific proprietary information (i.e., how tax returns are selected for fraud review)
- 3) Standard Practices - 10.4.3 - says survey results will post online monthly - we were told every 2 weeks in entrance

Laws
(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding	Department of Revenue
Date of Submission	5/31/2018

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who (customer) the agency must or may serve? (Y/N)	Customer/Client If yes, who is/are the customer(s)?	Deliverable Does the law specify a deliverable (service or product) the agency must or may provide? (Y/N)
1	Title 1	State		Administration of Government			
1.1	1-30-95	State	Statute	SCDOR is governed by an Agency Director who is appointed by the Governor. There are no service limits for an Agency Director. The Agency Director may be removed by the Governor as provided in 1-3-240(B).	No		No
2	Title 3	State		U.S. government, Agreements and Regulations			
2.1	3-11-400(C)(3)(b)(i)	State	Statute	SCDOR must develop the form and format to report the average daily percentage of winnings to losses by gambling vessels. SCDOR must perform an annual audit to verify the accuracy of the reports.	Yes	Taxpayers	Yes - Providing report
2.2	3-11-400(C)(3)(b)(iii)	State	Statute	SCDOR must make the information reported from gambling vessels available on a quarterly basis to: the county or municipality from which the gambling vessel originates, the general public, the Governor, President Pro Tempore of the Senate and the Speaker of the House.	Yes	Local Government, taxpayers and the Governor, President Pro Tempore of the Senate and the Speaker of the House.	Yes - Providing report
3	Title 4	State		Counties			
3.1	4-10-90(A)	State	Statute	SCDOR shall administer and collect the local sales and use tax in the manner that statewide sales and use taxes are collected and administered. (Local Option Sales Tax)	Yes	Local Government	Yes - Other service or product
3.2	4-10-90(B)	State	Statute	All revenues collected must be remitted to the State Treasurer to be credited to a Local Sales and Use Tax Fund.	Yes	Local Government	Yes - Other service or product
3.3	4-10-90(C)	State	Statute	SCDOR shall furnish data to the State Treasurer and to the governing bodies of the counties and municipalities receiving revenues for the purpose of calculating distributions and estimating revenues. The information which may be supplied to counties and municipalities includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers. (Local Option Sales Tax)	Yes	Local Government	Yes - Other service or product
3.4	4-10-350(A)	State	Statute	SCDOR must administer and collect the Capital Project Sales Tax in the same manner that other sales and use taxes are collected.	Yes	Local Government	Yes - Other service or product
3.5	4-10-360	State	Statute	SCDOR shall deposit with the State Treasurer all collections to be credited to a separate account.	Yes	Local Government	Yes - Other service or product
3.6	4-10-370	State	Statute	SCDOR shall furnish data to the State Treasurer and to county treasurers receiving revenues for the purpose of calculating distributions and estimating revenues (Capital Project Sales Tax).	Yes	State Treasurer and Local Government	Yes - Other service or product

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Laws
(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding	Department of Revenue
Date of Submission	5/31/2018

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Customer/Client		Deliverable
					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
3.7	4-10-440	State	Statute	SCDOR shall remit collections from the Education Capital Improvement tax to the State Treasurer	Yes	State Treasurer and Local Government	Yes - Other service or product
3.8	4-10-450	State	Statute	SCDOR shall furnish data to the State Treasurer and to a school district and others receiving tax revenues pursuant to this article for the purpose of calculating distributions and estimating revenues. (Education Capital Improvement Sales Tax)	Yes	State Treasurer and Local Government	Yes - Other service or product
3.9	4-10-580(A)	State	Statute	SCDOR must administer and collect local sales tax in the same manner that other sales taxes are collected.	Yes	Local Government	Yes - Other service or product
3.10	4-10-770	State	Statute	SCDOR must administer and collect the local option sales and use tax for local property tax credits, if imposed by a county, in the same manner that other sales taxes are collected.	Yes	Local Government	Yes - Other service or product
3.11	4-10-930	State	Statute	SCDOR shall accept for filing a certified copy of an ordinance or referendum results reducing or repealing the Local Option Tourism Development fee.	No		No
3.12	4-10-940	State	Statute	SCDOR can retain a fee for administering the Tourism Development fee.	No		No
3.13	4-10-940 (B)	State	Statute	SCDOR must administer and collect the Tourism Development Fee in the same manner as the Sales and Use Tax.	Yes	Taxpayer	Yes - Other service or product
3.14	4-10-940 (E)	State	Statute	SCDOR shall deposit collected fees with the State Treasurer	Yes	State Treasurer and Local Government	Yes - Other service or product
3.15	4-10-960	State	Statute	SCDOR shall furnish data to the State Treasurer and to the municipal treasurers receiving revenues for the purpose of calculating distributions and estimating revenues.	Yes	State Treasurer and Local Government	Yes - Other service or product
3.16	4-12-30(B)(3)	State	Statute	SCDOR shall designate by December thirty first of each year the counties qualifying for the reduced fee-in-lieu threshold requirement.	Yes	Local Government	Yes - Other service or product
3.17	4-12-30(D)(2)(a)(i)	State	Statute	In certain special instances, SCDOR must determine the value of property subject to the fee-in-lieu of taxes.	Yes	Local Government	Yes - Other service or product
3.18	4-12-30 (O)(8)	State	Statute	SCDOR shall develop applicable forms and procedures for handling and processing extension requests.	Yes	Local Government	Yes - Other service or product
3.19	4-29-67(D)(2)(a)(iii)	State	Statute	SCDOR must determine a fair market value estimate of the value of the property using the procedure in the statute and must determine the value of real property subject to the fee under certain conditions. In certain special instances.	Yes	Local Government	Yes - Other service or product
3.20	4-29-67 (S)(7)	State	Statute	SCDOR shall develop applicable forms and procedures for handling and processing fee-in-lieu extension requests.	Yes	Local Government	Yes - Other service or product

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Laws
(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding	Department of Revenue
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Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Customer/Client		Deliverable
					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
3.21	4-37-30 (A)(8)	State	Statute	The Local Option Transportation tax levied pursuant to this section must be administered and collected by SCDOR in the same manner that other sales and use taxes are collected.	Yes	Local Government	Yes - Other service or product
3.22	4-37-30 (A)(16)	State	Statute	SCDOR shall furnish data to the State Treasurer and to the counties receiving revenues for the purpose of calculating distributions and estimating revenues.	Yes	Local Government	Yes - Other service or product
4	Title 6	State		Local Government - Provisions Applicable to Special Purpose Districts and Other Political Subdivisions			
4.1	6-1-85 (A)	State	Statute	SCDOR shall provide assessed values and fair market values of properties collected in accordance with 59-20-20 to the Office of Research and Statistics of the Revenue and Fiscal Affairs Office.	Yes	SC Office of Research and Statistics	Yes - Other service or product
4.2	6-1-810	State	Statute	SCDOR shall share data helpful to both the department and the implementing jurisdiction regarding the enforcement of accommodation tax laws (Fairness in Lodging Acts).	Yes	Local Government	Yes - Other service or product
4.3	6-1-825	State	Statute	SCDOR shall identify websites containing 'rent by owner' vacation rental opportunities and request them to post a statement on the website that the owner of South Carolina rental properties is required to be licensed and to collect applicable local and state fees and taxes	Yes	Local Government	Yes - Other service or product
5	Title 11	State		Public Finance			
5.1	11-9-820 (A)(1)(d)	State	Statute	The Director of SCDOR shall serve as an ex officio member with no voting rights on the Board of Economic Advisors(BEA), a division of the Revenue and Fiscal Affairs Office.	Yes	State Government	Yes - Serving on board, commission, or committee
5.2	11-9-820 (D)	State	Statute	SCDOR must provide to the Board of Economic Advisors by November tenth a report of the amount of tax credits claimed and magnetic tapes containing data from all state individual and corporate income tax filings from the previous year.	Yes	South Carolina Board of Economic Advisors	Yes - Other service or product
5.3	11-9-825	State	Statute	The BEA must be supplemented by one professional from the staff of SCDOR.	Yes	South Carolina Board of Economic Advisors	Yes - Other service or product
5.4	11-11-10	State	Statute	SCDOR shall furnish information as requested from the Executive Budget Office and Fiscal Affairs Office, and shall be present at all hearings before the committees having charge of the appropriations in the Senate and the House.	Yes	Executive Budget Office and Fiscal Affairs Office	Yes - Other service or product
5.5	11-11-156 (5)(b)	State	Statute	SCDOR must reimburse the county treasurer for Homestead Exemption credits of each school district in the county.	Yes	Local Government	Yes - Other service or product

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Laws
(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding	Department of Revenue
Date of Submission	5/31/2018

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Customer/Client		Deliverable
					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
5.6	11-44-70 (A)	State	Statute	SCDOR shall provide for the manner in which the angel investor application is to be submitted and shall review the application and tentatively approve the application upon determining that it meets the requirements of this chapter.			
5.7	11-44-70 (B)	State	Statute	SCDOR shall provide tentative approval of the application by the date provided in subsection (C).	Yes	Taxpayers	Yes - Other service or product
5.8	11-44-70 (C)	State	Statute	SCDOR shall notify each qualified investor of the tax credits tentatively approved and allocated to the qualified investor by January thirty first of the year after the application was submitted. If the credit amounts on applications filed with SCDOR exceed the maximum aggregate limit of tax credits, then the tax credit must be allocated among the angel investors who filed a timely application on a pro rata basis, based upon the amounts otherwise allowed by this chapter.	Yes	Taxpayers	Yes - Other service or product
5.9	11-44-70(D)	State	Statute	SCDOR shall report by March thirty first each year to the House Ways and Means Committee, the Senate Finance Committee, and the Governor, by county, the number of angel investor tax credit applications SCDOR has received, the number of applications approved and the tax credits approved. The report must be available in a conspicuous place on SCDOR's website.	Yes	House Ways and Means, Senate Finance, Governor	Yes - Providing report
5.10	11-47-20(j)	State	Statute	SCDOR shall ascertain the amount of State excise tax paid on cigarettes sold within South Carolina.	Yes	Taxpayers	Yes - Other service or product
6	Title 12	State	Taxation				
6.1	Title 12, Chapter 2						
6.1.1	12-2-5	State	Statute	SCDOR is governed by an Agency Director who is appointed by the Governor. There are no service limits for an Agency Director. The Agency Director may be removed by the Governor as provided in 1-3-240(B).	No		No
6.2	Title 12, Chapter 4						
6.2.1	12-4-10	State	Statute	The South Carolina Department of Revenue, Department Organization SCDOR must administer and enforce SC revenue laws, licensing and regulation of alcoholic liquors, beer and wine, and assess penalties for violations, and other laws specifically assigned.	Yes	Taxpayers	Yes - Other service or product
6.2.2	12-4-310(1)	State	Statute	SCDOR shall hold meetings, as considered necessary.	No		No

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Laws
(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding	Department of Revenue
Date of Submission	5/31/2018

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Customer/Client		Deliverable
					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
6.2.3	12-4-310(2)	State	Statute	SCDOR shall formulate and recommend legislation to enhance uniformity, enforcement, and administration of the tax laws, and secure just taxation and improvements in the system of taxation.	Yes	General Assembly and Taxpayers	Yes - Other service or product
6.2.4	12-4-310(3)	State	Statute	SCDOR shall consult and confer with the Governor upon the subject of taxation, the administration of the laws, and the progress of the work of the department, and furnish the Governor reports, assistance, and information he may require.	Yes	Governor	Yes - Other service or product
6.2.5	12-4-310(4)	State	Statute	SCDOR shall prepare and publish, annually, statistics reasonably available with respect to the operation of the department, including amounts collected, and other facts it considers pertinent and valuable.	Yes	Stakeholders and Taxpayers	Yes - Providing report
6.2.6	12-4-310(5)	State	Statute	SCDOR shall make available to the authorities of a political subdivision information reported to SCDOR pursuant to the requirements of Chapter 36 of this title of businesses licensed under Section 12-36-510 in the requesting political subdivision.	Yes	Local Government	Yes - Other service or product
6.2.7	12-4-310(6)	State	Statute	SCDOR shall hire all necessary personnel, including officers, agents, deputies, experts, and assistants, and assign to them duties and powers as the department prescribes.	No		No
6.2.8	12-4-310(7)	State	Statute	SCDOR shall require those of its officers, agents, and employees it designates to give bond for the honest performance of their duties in the sum and with the sureties it determines; and all premiums on the bonds must be paid by the department	No		No
6.2.9	12-4-310(8)	State	Statute	SCDOR shall pay travel expenses, purchase, or lease all necessary facilities, equipment, books, periodicals, and supplies for the performance of its duties	No		No
6.2.10	12-4-310(9)	State	Statute	SCDOR shall exercise and perform other powers and duties as granted to it or imposed upon it by law	No		No
6.2.11	12-4-310(10)	State	Statute	SCDOR shall make gross receipts or net taxable sales figures reported to SCDOR available to municipalities or counties levying a tax based on gross receipts or net taxable sales.	Yes	Local Government	Yes - Other service or product
6.2.12	12-4-310(11)	State	Statute	SCDOR shall provide data and assistance to municipalities and counties in which Article 8, Chapter 1, Title 6, the Fairness in Lodging Act, is implemented.	Yes	Local Government	Yes - Other service or product

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Laws
(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding	Department of Revenue
Date of Submission	5/31/2018

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Customer/Client		Deliverable
					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
6.2.13	12-4-360	State	Statute	SCDOR shall verify, when requested by the Retirement Systems of the Public Employee Benefit Authority, information on individual income tax returns to assist the retirement systems in ascertaining if an individual receiving disability benefits has gainful employment for which he is receiving compensation.	Yes	South Carolina Retirement System	Yes - Other service or product
6.2.14	12-4-375	State	Statute	SCDOR can retain and expend the first one hundred fifty thousand dollars from bankruptcy operations to defray administrative cost	No		No
6.2.15	12-4-377	State	Statute	SCDOR must maintain adequate records accounting for the receipt of funds from the sale of confiscated alcoholic beverages. This revenue shall be deposited to the General Fund after deducting costs.	Yes	General Fund	Yes - Other service or product
6.2.16	12-4-380	State	Statute	SCDOR shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee, within thirty days of final settlement, the details of all tax liabilities reduced by order of the director.	Yes	Senate Finance Committee and House Ways and Means Committee	Yes - Providing report
6.2.17	12-4-385	State	Statute	SCDOR shall notify the appropriate licensing division of the Department of Labor, Licensing and Regulation when a change in policy is proposed concerning a particular industry group.	Yes	Department of Labor, Licensing and Regulation	Yes - Other service or product
6.2.18	12-4-387	State	Statute	SCDOR shall use available personnel to conduct audits involving all taxes to help promote voluntary compliance and collect revenues for the general fund.	Yes	Taxpayers	Yes - Other service or product
6.2.19	12-4-388	State	Statute	SCDOR may charge participants in taxpayer education workshops a fee to cover direct costs.	No		No
6.2.20	12-4-390 (A)	State	Statute	SCDOR can collect fees to recover the cost of the production, purchase, handling and mailing of documents, publications, records and data sets.	No		No
6.2.21	12-4-390 (C)	State	Statute	SCDOR is required to pay for annual costs to maintain a legislatively mandated requirement (license or professional designation) for employment by SCDOR.	No		No
6.2.22	12-4-510(2)	State	Statute	In order to administer effectively the equitable assessment of property for taxation, SCDOR shall make the levy upon the assessed value of property subject to tax necessary to raise the annual appropriations made by the General Assembly as it relates to private carlines and flight equipment.	Yes	General Assembly and taxpayers	Yes - Other service or product

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					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
6.2.23	12-4-520(1)	State	Statute	SCDOR shall call meetings of all county assessors, to provide instruction as to the law governing the assessment and taxation of all classes of property. SCDOR shall formulate and prescribe rules to govern assessors and county boards of tax appeals in the discharge of their duties. SCDOR shall confer with, advise, and direct assessors and county boards of tax appeals as to their duties. SCDOR shall require county auditors to place upon the assessment rolls omitted property that may have escaped taxation in the current or previous years.	Yes	Local Government	Yes - Other service or product
6.2.24	12-4-520(2)	State	Statute		Yes	Local Government	Yes - Other service or product
6.2.25	12-4-520(5)	State	Statute		Yes	Local Government	Yes - Other service or product
6.2.26	12-4-540(A)	State	Statute	SCDOR has sole responsibility for the appraisal, assessment, and equalization of the taxable values of corporate headquarters, corporate office facilities, and distribution facilities and of the real and personal property owned by or leased by manufacturing, railway, private carline, airline, water, heat, light and power, telephone, cable television, sewer, pipeline, and mining businesses in the conduct of their business. SCDOR has sole responsibility for the appraisal, assessment, and equalization of the taxable values of the personal property of ^{manufacture} SCDOR shall assess all real and personal property, leased or used, to the owner, except as otherwise provided. SCDOR shall require municipal, county, and other public officers to report information as to the assessment of property, collection of taxes, receipts from licenses and other sources, and information necessary in the work of SCDOR.	Yes	Taxpayers	Yes - Other service or product
6.2.27	12-4-540(D)	State	Statute		Yes	Local Government and Taxpayers	Yes - Other service or product
6.2.28	12-4-550(1)	State	Statute		Yes	Local Government and Taxpayers	Yes - Other service or product
6.2.29	12-4-550(2)	State	Statute	SCDOR shall require all persons to furnish information concerning their capital, bonded or other debts, current assets and liabilities, value of property, earnings, operating and other expenses, taxes, and other facts necessary for SCDOR to ascertain the value and relative tax burden borne by all kinds of property.	Yes	Local Government and Taxpayers	Yes - Other service or product
6.2.30	12-4-560	State	Statute	SCDOR shall prepare appropriate manuals, guides, and other aids for the equitable assessment of all properties and prepare suitable forms for an adequate listing and description of property by groups and classes. SCDOR charges a fee to governmental entities for collecting outstanding liabilities on their behalf.	Yes	Local Government and Taxpayers	Yes - Other service or product
6.2.31	12-4-580	State	Statute		No		No

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					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
6.2.32	12-4-710	State	Statute	SCDOR shall determine if any property qualifies for exemption from local property taxes under Section 12-37-220, except for the exemption provided by 12-37-220(A)(9) in accordance with the Constitution and general laws. This determination must be made on an annual basis and the appropriate county official advised by SCDOR by June first of each year. SCDOR shall certify a property tax exemption on real and personal property to the auditor's office in the county for those approved.	Yes	Local Government and Taxpayers	Yes - Other service or product
6.2.33	12-4-730	State	Statute		Yes	Local Government and Taxpayers	Yes - Other service or product
6.3	Title 12, Chapter 6			South Carolina Income Tax: SCDOR's Administration, Annual Adjustment to Income Tax Brackets, Tax Credit Administration, Eligibility and Certification Procedures.			
6.3.1	12-6			SCDOR must collect and remit individual income tax to the General Fund.	Yes	Taxpayers and General Fund	Yes - Other service or product
6.3.2	12-6-20	State	Statute	SCDOR shall administer and enforce the taxes imposed by Chapter 6. SCDOR shall make and publish rules and regulations necessary to enforce this chapter.	Yes	Taxpayers	Yes - Other service or product
6.3.3	12-6-520	State	Statute	Annually by December fifteen, SCDOR shall adjust the income tax brackets in the same manner as the Internal Revenue Code 1(f), but limited to one-half the adjustment of IRC Section 1(f) and limit the adjustment to four percent a year and round off to the nearest ten dollars. Inflation adjustments must be made cumulatively to the income tax brackets. SCDOR must collect and remit corporate income tax to the General Fund.	Yes	Taxpayers	Yes - Other service or product
6.3.4	12-6-530	State	Statute		Yes	Taxpayers and General Fund	Yes - Other service or product
6.3.5	12-6-1140(10)(d)	State	Statute	SCDOR must approve forms by which certifications must be filed by members of the State Guard and other officers eligible for a deduction.	Yes	State Guard Members	Yes - Other service or product
6.3.6	12-6-3360 (B)	State	Statute	SCDOR shall rank and designate the state's counties for purposes of the jobs tax credit.	Yes	Local Government	Yes - Other service or product
6.3.7	12-6-3360(I)	State	Statute	The appropriate agency involved with the jobs tax credit shall determine if qualifying net increases or decreases have occurred related to jobs.	Yes	Taxpayers	Yes - Other service or product
6.3.8	12-6-3360 (J)	State	Statute	The appropriate agency shall prescribe certification procedures to ensure taxpayers can claim credits in future years even if a particular county's classification is changed.	Yes	Taxpayers	Yes - Other service or product
6.3.9	12-6-3367 (D)	State	Statute	SCDOR shall prescribe certification procedures to ensure taxpayers may qualify for a corporate tax moratorium in future years even if a particular county is removed from the list of qualifying counties.	Yes	Taxpayers	Yes - Other service or product

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					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
6.3.10	12-6-3375(B)(2)	State	Statute	SCDOR must prescribe the manner in which a taxpayer shall claim a credit for increasing its port cargo volume.	Yes	Taxpayers	Yes - Other service or product
6.3.11	12-6-3381	State	Statute	SCDOR must prescribe a form in order to claim the tax credit for costs associated with a premarital preparation course.	Yes	Taxpayers	Yes - Other service or product
6.3.12	12-6-3588	State	Statute	SCDOR shall determine the proof necessary to meet the requirements of the Clean Energy Tax Incentive Credit. SCDOR must certify the qualifying expenditures for the credit. SCDOR must consult with the Department of Commerce, the State Energy Office or any other agency on standards for certification.	Yes	Taxpayers	Yes - Other service or product
6.3.13	12-6-3620(E)	State	Statute	SCDOR shall consult with the State Energy Office or any other appropriate state and federal officials on standards for certification. SCDOR must notify the taxpayer that it qualifies for the biomass resource credit.	Yes	Taxpayers	Yes - Other service or product
6.3.14	12-6-3622(B)	State	Statute	The fire sprinkler system credit is claimed on a form developed by SCDOR.	Yes	Taxpayers	Yes - Other service or product
6.3.15	12-6-3780(A)(1)	State	Statute	SCDOR must prescribe the manner in which to claim the credit.	Yes	Taxpayers	Yes - Other service or product
6.3.16	12-6-3780 (B)(2)	State	Statute	If the preventative maintenance refundable income tax credit claimed in a tax year is less than the amounts transferred to SCDOR, then the excess shall revert back from SCDOR to the Department of Transportation.	Yes	Department of Transportation	Yes - Other service or product
6.3.17	12-6-3910 (A)	State	Statute	SCDOR must prescribe forms for estimated taxes.	Yes	Taxpayers	Yes - Other service or product
6.3.18	12-6-5060(B)	State	Statute	SCDOR must put a check off list on all individual income tax returns. The instructions to the income tax form must contain a description of the purposes for which the funds were established and the use of the monies from the income tax contributions.	Yes	Taxpayers	Yes - Other service or product
6.3.19	12-6-5060(C)	State	Statute	SCDOR shall determine and report at least annually to the appropriate agency administering the fund the amount of contributions. SCDOR shall transfer the appropriate amount to each fund at the earliest possible time. The incremental cost of collection must be retained by SCDOR.	Yes	State Agencies	Yes - Other service or product
6.3.20	12-6-5590(E)	State	Statute	SCDOR shall examine the substance and donative intent, rather than merely the form, of contributions qualifying as a qualified conservation contribution.	Yes	Taxpayers	Yes - Other service or product
6.4	Title 12, Chapter 8			Income Tax Withholding: SCDOR's administrative responsibilities			
6.4.1	12-8	State	Statute	SCDOR must collect and remit revenue from withholding tax to the General Fund.	Yes	Taxpayers	Yes - Other service or product
6.4.2	12-8-520 (A)	State	Statute	Employers withhold based on tables and rules promulgated by SCDOR.	Yes	Taxpayers	Yes - Other service or product

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					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
6.4.3	12-8-590 (A)	State	Statute	SCDOR is to prescribe forms and provide for the manner in which withholding is to be conducted for distributions to non-resident shareholders of corporations and non-resident partners of partnerships. SCDOR is required to develop quarterly withholding returns.	Yes	Taxpayers	Yes - Other service or product
6.4.4	12-8-1530 (A)	State	Statute	SCDOR is required to develop quarterly withholding returns.	Yes	Taxpayers	Yes - Other service or product
6.5	Title 12, Chapter 10			Enterprise Zone Act of 1995. SCDOR's administrative and audit responsibilities in coordination with the State Rural Infrastructure Fund.			
6.5.1	12-10-80(A)(11)	State	Statute	SCDOR shall audit each qualifying business with claims in excess of ten thousand dollars in a calendar year at least once every three years to verify proper sources and uses of the funds. SCDOR shall impose a penalty for all reports filed after June thirtieth or the approved extension date.	Yes	Taxpayers	Yes - Other service or product
6.5.2	12-10-80(E)	State	Statute	SCDOR is required to remit the appropriate amount of funds to the State Rural Infrastructure Fund.	Yes	State Rural Infrastructure Fund	Yes - Other service or product
6.5.3	12-10-82	State	Statute	SCDOR must create a form for a taxpayer to make an election to assign job development credits to a designated trustee.	Yes	Taxpayers	Yes - Other service or product
6.5.4	12-10-85(A)	State	Statute	Funds received by SCDOR for the State Rural Infrastructure Fund must be deposited in the State Rural Infrastructure Fund of the Council.	Yes	State Rural Infrastructure Fund	Yes - Other service or product
6.5.5	12-10-88(B)	State	Statute	SCDOR shall remit the redevelopment fees for each calendar quarter for which the Redevelopment Authority provides a timely statement with required information.	Yes	Redevelopment Authority	Yes - Other service or product
6.5.6	12-10-95(I)(2)	State	Statute	SCDOR must audit any business that claimed the job retraining credit every three years solely for the purpose of verifying proper sources and uses of the credit.	Yes	Taxpayers	Yes - Other service or product
6.5.7	12-10-100(B)	State	Statute	SCDOR may retain a portion of the Revitalization Zone/Enterprise Zone fee to defray cost of administration.	NO		No
6.5.8	12-10-105	State	Statute	SCDOR may charge an annual fee to qualifying businesses that claim the job development tax credit to defray administrative cost.	NO		No
6.6	Title 12, Chapter 11			Taxation. Income Tax on Banks			
6.6.1	12-11	State	Statute	SCDOR must collect and remit the bank tax to the General Fund.	Yes	Taxpayers and General Fund	Yes - Other service or product
6.7	Title 12, Chapter 13			Taxation. Income Tax on Buildings and Loan Association			
6.7.1	12-13	State	Statute	SCDOR must collect and remit the savings and loan association tax to the General Fund.	Yes	Taxpayers and General Fund	Yes - Other service or product

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					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
6.8	Title 12, Chapter 20			Corporate License Fees, SCDOR's Corporate Infrastructure Credit report due to the General Assembly.			
6.8.1	12-20	State	Statute	SCDOR shall collect and remit the corporate license fee to the General Fund.	Yes	Taxpayers and General Fund	Yes - Other service or product
6.8.2	12-20-105 (H)	State	Statute	SCDOR shall report to Senate Finance, House Ways and Means and Department of Commerce the history of the license tax credit pursuant to this section.	Yes	SC Senate Finance Committee, House Ways and Means Committee and the Department of Commerce	Yes - Providing report
6.9	Title 12, Chapter 21			Stamp and Business License Tax: SCDOR's administrative responsibilities for the Tobacco Stamp Tax, Bingo Licensing and Admissions Tax.			
6.9.1	12-21	State	Statute	SCDOR must collect and remit the admission fee, the beer and wine wholesalers excise tax, bingo tax, coin operated device tax and tobacco tax to the General Fund.	Yes	Taxpayers and General Fund	Yes - Other service or product
6.9.2	12-21-625(B)(1)	State	Statute	Five million dollars of the revenue generated from the cigarette surtax shall be directed to the Medical University of South Carolina Hollings Cancer Center.	Yes	Medical University of South Carolina Hollings Cancer Center	Yes - Other service or product
6.9.3	12-21-625(B)(2)	State	Statute	Five million dollars of the revenue generated shall be directed to the Smoking Prevention and Cessation Trust Fund.	Yes	Smoking Prevention and Cessation Trust Fund	Yes - Other service or product
6.9.4	12-21-625(B)(3)	State	Statute	Remaining revenue shall be deposited in the South Carolina Medical Reserve Fund.	Yes	South Carolina Medical Reserve Fund	Yes - Other service or product
6.9.5	12-21-670	State	Statute	SCDOR shall issue a license for sale of tobacco products upon receipt of application and SCDOR shall produce forms for this purpose.	Yes	Taxpayers	Yes - Other service or product
6.9.6	12-21-735 (E)	State	Statute	SCDOR shall prescribe, prepare and furnish stamps for the payment of the cigarette tax. SCDOR shall also cause to be prepared stamps that indicate that a package of cigarettes is exempt.	Yes	Taxpayers, the SC Senate Finance Committee and the House Ways and Means Committee	Yes - Other service or product
6.9.7	12-21-735 (E)(2)	State	Statute	SCDOR shall designate the type of stamps to be applied.	Yes	Taxpayers	Yes - Other service or product
6.9.8	12-21-735 (E)(6)	State	Statute	SCDOR determines the amount of credit to be allowed for the purchase of a stamping machine and equipment.	Yes	Taxpayers	Yes - Other service or product
6.9.9	12-21-735 (H)(2)	State	Statute	SCDOR shall provide a method of purchasing stamps.	Yes	Taxpayers	Yes - Other service or product

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					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
6.9.10	12-21-735(J)	State	Statute	SCDOR must report by March fifteenth of each year to Senate Finance and House Ways and Means the costs associated with the operation of the cigarette tax stamp program.	Yes	SC Senate Finance Committee and House Ways and Means Committee	Yes - Providing report
6.9.11	12-21-1050	State	Statute	SCDOR shall prescribe forms for the collection of the beer and wine license tax.	Yes	Taxpayers	Yes - Other service or product
6.9.12	12-21-1060	State	Statute	SCDOR shall allow a discount of two percent to the wholesaler on the amount of tax reported monthly on timely filed returns.	Yes	Taxpayers	Yes - Other service or product
6.9.13	12-21-1120	State	Statute	Beer and wine taxes and license fees provided by this article must be paid to and collected by SCDOR and deposited to the general fund of this state.	Yes	General Fund	Yes - Other service or product
6.9.14	12-21-1130	State	Statute	SCDOR shall transfer to the special school account from any unallocated funds on the last day of the month the State's portion from the sale of beer or wine.	Yes	Local Government	Yes - Other service or product
6.9.15	12-21-2420(16)(b)	State	Statute	Revenue derived from fishing piers from admissions tax along the coast must be allocated for use by the Commercial Fisheries Division of the Department of Natural Resources.	Yes	Department of Natural Resources	Yes - Other service or product
6.9.16	12-21-2450	State	Statute	SCDOR shall issue licenses to operate a place of amusement upon receipt of application.	Yes	Taxpayers	Yes - Other service or product
6.9.17	12-21-2720 (E)	State	Statute	SCDOR shall collect increased fees on Class 2 coin-operated machines for purposes of funding South Carolina Law Enforcement Division (SLED) operations, and these funds are sent to SLED to offset the cost of video gaming enforcement.	Yes	South Carolina Law Enforcement Division	Yes - Other service or product
6.9.18	12-21-2742	State	Statute	SCDOR must seize and confiscate any unlicensed equipment and then SCDOR must sell equipment at public auction.	No		No
6.9.19	12-21-2744	State	Statute	Owners of property seized by SCDOR may file a cash bond within five days of the seizure. Within ten days, the equipment owner must bring legal action to have seizure set aside; otherwise SCDOR must declare the bond filed forfeited.	Yes	Taxpayers	Yes - Other service or product
6.9.20	12-21-3940 (A)	State	Statute	SCDOR shall prescribe application forms for a bingo license.	Yes	Taxpayers	Yes - Other service or product
6.9.21	12-21-3940(A)(1)	State	Statute	SCDOR will make the determination if an organization is qualified to hold a bingo license.	Yes	Taxpayers	Yes - Other service or product
6.9.22	12-21-3950(B)	State	Statute	SCDOR has forty-five days to approve or reject a bingo application based on the requirements.	Yes	Taxpayers	Yes - Other service or product

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					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
6.9.23	12-21-4000 (12)(b)	State	Statute	Excess proceeds tax must be remitted to SCDOR. If promotor or organization fail to remit, SCDOR shall suspend both licenses.	Yes	Taxpayers	Yes - Other service or product
6.9.24	12-21-4190(A)	State	Statute	SCDOR shall charge and retain ten cents for each dollar of face value of each bingo card sold for AA,B,D and E licenses and four cents for each dollar of face value of each bingo card for a C license. SCDOR shall charge and retain five cents for each dollar of face value for an F license.	Yes	Taxpayers	Yes - Other service or product
6.9.25	12-21-4190(B)(1)	State	Statute	SCDOR must make the revenue distribution back to the charity for which the bingo cards were purchased. This distribution must be made by the last day of the next month following the month the revenue was collected. These amounts must be reduced by any delinquent debts as defined in the Setoff Debt Collection Act.	Yes	Charities	Yes - Other service or product
6.9.26	12-21-4190 (C)	State	Statute	Revenue derived from Class F licenses shall be distributed pursuant to Section 12-21-4200.	Yes	Charities; Division on Aging; Parks Recreation and Tourism; Commission on minority Affairs; General Fund	Yes - Other service or product
6.9.27	12-21-4200	State	Statute	SCDOR shall deposit with the State Treasurer the first nine hundred forty-eight thousand dollars collected from bingo revenue in twelve equal amounts into an account called "Division on Aging Senior Citizens Centers Permanent Improvement Fund".	Yes	State Treasurer and the Division on Aging	Yes - Other service or product
6.9.28	12-21-4200 (1)	State	Statute	SCDOR shall deposit with the State Treasurer seven and five one-hundredths percent of bingo revenue to be credited to the account of the Division on Aging but in no case shall the amount be less than six hundred thousand dollars.	Yes	State Treasurer and the Division on Aging	Yes - Other service or product
6.9.29	12-21-4200 (3)	State	Statute	SCDOR shall deposit with the State Treasurer seventy-two and fifteen one-hundredths percent of bingo revenue to the general fund, except that the first one hundred thirty-one thousand must be transferred to the Commission on Minority Affairs.	Yes	State Treasurer, General Fund, Commission on Minority Affairs	Yes - Other service or product
6.9.30	12-21-4210	State	Statute	SCDOR shall make refunds on all returned bingo paper. If an organization ceases operation SCDOR shall accept returned paper and credit the value of returned paper.	Yes	Taxpayers	Yes - Other service or product
6.9.31	12-21-4220	State	Statute	SCDOR shall set the design and requirements of all bingo cards.	Yes	Taxpayers	Yes - Other service or product
6.9.32	12-21-4230	State	Statute	SCDOR must set all bond amounts for all organizations, promoters, manufacturers and distributors of bingo cards.	Yes	Taxpayers	Yes - Other service or product

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					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
6.9.33	12-21-4240	State	Statute	SCDOR will license all organizations, promoters, manufacturers and distributors of bingo paper. SCDOR is required to collect annual license fee of five thousand dollars for manufacturers and two thousand dollars for distributors.	Yes	Taxpayers	Yes - Other service or product
6.9.34	12-21-4270	State	Statute	Each licensee may obtain cards approved by SCDOR by making application and remitting sixteen and one-half percent of the total face value of the cards purchased. Upon receipt of tax paid SCDOR shall notify a licensed distributor to release the face value of cards requested. SCDOR is required to set forth procedures to ensure cross-checking between manufacturers and distributors and organizations.	Yes	Taxpayers	Yes - Other service or product
6.9.35	12-21-6530(A)	State	Statute	If a facility qualifies under this article, one-fourth of the admissions tax generated by that facility must be paid by SCDOR to the county or municipality in which the facility is located.	Yes	Local Government	Yes - Other service or product
6.9.36	12-21-6540(A)	State	Statute	If a facility qualifies under this article, one-fourth of the admissions tax generated by that facility must be paid by SCDOR to the special tourism infrastructure development fund.	Yes	Special Tourism Infrastructure Development Fund	Yes - Other service or product
6.9.37	12-21-6550(B)	State	Statute	SCDOR shall notify the county or municipality in writing if a certification application is approved.	Yes	Local Government	Yes - Other service or product
6.10	Title 12, Chapter 23			License Taxes on Other Businesses: SCDOR's administrative responsibility of the Electric Power Tax and Hospital Tax			
6.10.1	12-23-40	State	Statute	SCDOR shall administer and shall collect the electric power tax.	Yes	Taxpayers	Yes - Other service or product
6.10.2	12-23-810 (C)	State	Statute	SCDOR must notify hospitals as to the amount of hospital tax due based on calculations from the Department of Health and Human Services.	Yes	Taxpayers	Yes - Other service or product
6.10.3	12-23-815	State	Statute	SCDOR shall issue assessments for the tax based on information provided by the Department of Health and Environmental Control and the Office of Research and Statistics of the Revenue and Fiscal Affairs Office.	Yes	Taxpayers	Yes - Other service or product
6.10.4	12-23-820	State	Statute	SCDOR shall administer and enforce provisions of this article. The hospital tax levied pursuant to this article must be collected in accordance with the provisions of Chapter 54 of Title 12.	Yes	Taxpayers	Yes - Other service or product
6.10.5	12-23-840	State	Statute	Revenues derived from the Hospital Tax must be deposited in the Medicaid Expansion Fund created by Section 44-6-155.	Yes	Medicaid Expansion Fund	Yes - Other service or product
6.11	Title 12, Chapter 24			Deed Recording Fee: SCDOR's allocation requirements of the Deed Recording Fee.			

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					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
6.11.1	12-24	State	Statute	SCDOR must collect and remit the documentary tax to the General Fund.	Yes	Taxpayers and General Fund	Yes - Other service or product
6.11.2	12-24-90(B)(1)	State	Statute	Allocates to the Heritage Land Trust Fund a portion of the state portion of the Deed Recording Fee collected.	Yes	Heritage Land Trust Fund	Yes - Other service or product
6.11.3	12-24-90(B)(2)	State	Statute	Allocates to the State Housing Authority a portion of the state portion of the Deed Recording Fee collected.	Yes	State Housing Authority	Yes - Other service or product
6.11.4	12-24-95	State	Statute	Twenty-five cents of the one dollar thirty-cent state deed recording fee must be credited to the South Carolina Conservation Bank Trust Fund.	Yes	South Carolina Conservation Bank Trust Fund	Yes - Other service or product
6.12	Title 12, Chapter 28			Motor Fuels Subject to User Fees: SCDOR administrative and allocation requirements.			
6.12.1	12-28-310 (D)	State	Statute	SCDOR shall permanently increase the amount of the motor fuel user fee by two cents, for a total of twelve cents starting on July 1, 2017 and each July 1st thereafter until after July 1, 2022.	Yes	Taxpayers	Yes - Other service or product
6.12.2	12-28-970 (A)	State	Statute	SCDOR must establish procedures regarding backup user fees related to motor fuel.	Yes	Taxpayers	Yes - Other service or product
6.12.3	12-28-995	State	Statute	SCDOR shall establish conditions for payment of tax on motor fuel removed from a bulk plant and imported by a tank wagon and delivered to a South Carolina destination less than twenty five miles from the border of this state.	Yes	Taxpayers	Yes - Other service or product
6.12.4	12-28-1400	State	Statute	SCDOR must provide the manner in which information related to motor fuel user fees should be submitted and must use all of the information reported to track petroleum products.	Yes	Taxpayers	Yes - Other service or product
6.12.5	12-28-1730(F)	State	Statute	SCDOR shall impose a civil penalty in the amount of one thousand dollars or ten dollars for each gallon of dyed fuel used to operate a vehicle on the highways of this state.	Yes	Taxpayers	Yes - Other service or product
6.12.6	12-28-2355(C)	State	Statute	Petroleum Inspection Fees as described in SC Code Sec. 12-28-2355 (A) are collected by SCDOR and remitted to the State Non-Federal Aid Highway Fund at Department of Transportation.	Yes	Department of Transportation	Yes - Other service or product
6.12.7	12-28-2740 (A)(3)	State	Statute	SCDOR shall collect information regarding the number of gallons of gasoline sold in each county for use in making allocations of donor funds. SCDOR shall submit the percentage of the total represented by each county to the Department of Transportation.	Yes	Department of Transportation	Yes - Other service or product
6.12.8	12-28-2915(A)	State	Statute	Twenty million dollars of the motor carrier tax must be deposited into the account for economic development as provided in Section 12-28-2910.	Yes	Coordinating Council for Economic Development	Yes - Other service or product

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					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
6.12.9	12-28-2915(B)	State	Statute	All revenues in excess of twenty million dollars shall be credited to the Department of Transportation.	Yes	Department of Transportation	Yes - Other service or product
6.13	Title 12, Chapter 33			Alcohol Beverages License: SCDOR's administrative and allocation requirements			
6.13.1	12-33	State	Statute	SCDOR must collect and remit alcoholic liquor tax to the General Fund.	Yes	Taxpayers and General Fund	Yes - Other service or product
6.13.2	12-33-245(B)	State	Statute	SCDOR must deposit eleven percent of the revenue generated from the liquor by the drink excise tax with the State Treasurer to be deposited into a separate fund.	Yes	State Treasurer	Yes - Other service or product
6.13.3	12-33-480	State	Statute	SCDOR shall prescribe a form for the payment of taxes and must also assess and collect tax from licensed alcohol wholesalers in same manner as other taxes.	Yes	Taxpayers	Yes - Other service or product
6.14	Title 12, Chapter 35			The Simplified Sales and Use Tax Administration Act: SCDOR's required representative and agreement.			
6.14.1	12-35-40	State	Statute	SCDOR must provide representative to Streamlined Sales Tax Committee.	Yes	Streamlined Sales Tax Committee	Yes - Serving on board, commission, or committee
6.14.2	12-35-50	State	Statute	SCDOR shall enter into the Streamlined Sales and Use Tax Agreement.	No		No
6.15	Title 12, Chapter 36			South Carolina Sales and Use Tax: SCDOR's administrative and allocation requirements for the Use Tax and Accommodation Tax.			
6.15.1	12-36	State	Statute	SCDOR must collect and remit the sales tax and retailer license fee to the General Fund.	Yes	Taxpayer and General Fund	Yes - Other service or product
6.15.2	12-36-510(B)(3)	State	Statute	SCDOR must prescribe a form for payment of accommodations tax.	Yes	Taxpayers	Yes - Other service or product
6.15.3	12-36-540	State	Statute	SCDOR shall issue a separate license for each retail sales location.	Yes	Taxpayers	Yes - Other service or product
6.15.4	12-36-1320	State	Statute	Requires SCDOR to determine the useful life of transient construction property in order for use tax on transient construction property to be calculated.	Yes	Taxpayers	Yes - Other service or product
6.15.5	12-36-2110(A)(4)	State	Statute	Revenue resulting from the increase in the maximum sales tax must be credited to the Infrastructure Maintenance Trust Fund	Yes	Infrastructure Maintenance Trust Fund	Yes - Other service or product
6.15.6	12-36-2120(57)	State	Statute	SCDOR shall publish a yearly list of articles which qualify for the August sales tax holiday.	Yes	Taxpayers	Yes - Other service or product
6.15.7	12-36-2120(65)(d)	State	Statute	SCDOR shall issue an exemption certificate to the qualifying taxpayer for a sales tax exemption for computer equipment for a technology intensive facility.	Yes	Taxpayers	Yes - Other service or product

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					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
6.15.8	12-36-2120 (78)	State	Statute	SCDOR shall issue an appropriate exemption certificate to an organization which researches and tests natural hazards per the statute.	Yes	Taxpayers	Yes - Other service or product
6.15.9	12-36-2620	State	Statute	Allocates proceeds of sales tax imposed by statutes.	Yes	State Government	Yes - Other service or product
6.15.10	12-36-2630	State	Statute	Specifies Accommodations tax distributions.	Yes	State and Local Government	Yes - Other service or product
6.15.11	12-36-2630(3)	State	Statute	The proceeds of the 2% local accommodations tax, less SCDOR's actual incremental increase in the cost of administration, must be remitted quarterly to the municipality or the county in which it is collected.	Yes	Local Government	Yes - Other service or product
6.15.12	12-36-2660	State	Statute	SCDOR shall administer and enforce the provisions of Chapter 36, Title 12.	Yes	Taxpayers	Yes - Other service or product
6.15.13	12-36-2680	State	Statute	SCDOR shall prescribe an exemption certificate for persons making exempt agricultural purchases.	Yes	Taxpayers	Yes - Other service or product
6.16	Title 12, Chapter 37			Assessment of Property Taxes: SCDOR's assessment and disbursement requirements for Property Taxes.			
6.16.1	12-37	State	Statute	SCDOR must collect and remit aircraft property tax and private car lines tax to the General Fund.	Yes	Taxpayers and General Fund	Yes - Other service or product
6.16.2	12-37-250(A)(4)	State	Statute	SCDOR must approve forms for the homestead exemption. SCDOR shall direct the auditor to notify municipalities of all applications for the homestead exemption within the municipality and the information necessary to calculate the amount of the exemption.	Yes	Local Government	Yes - Other service or product
6.16.3	12-37-250(F)	State	Statute	SCDOR shall reimburse from funds appropriated for homestead reimbursement the state agency of Vocational Rehabilitation for the actual expenses incurred in making decisions related to disability.	Yes	Vocational Rehabilitation	Yes - Other service or product
6.16.4	12-37-250(G)	State	Statute	SCDOR shall develop advisory opinions as may be necessary to carry out the homestead exemption provisions.	Yes	Local Government and Taxpayers	Yes - Other service or product
6.16.5	12-37-255(C)	State	Statute	SCDOR must withhold from the next disbursement of state funds to a county or municipality the amount of tax and penalties related to improperly granted homestead exemptions.	Yes	Local Government	Yes - Other service or product
6.16.6	12-37-266(A)	State	Statute	SCDOR must approve forms used by a trustee who holds legal title to a dwelling in order to apply for a homestead exemption.	Yes	Taxpayers	Yes - Other service or product
6.16.7	12-37-266(B)	State	Statute	SCDOR shall reimburse the taxing entity for the taxes not collected by reason of the homestead exemption.	Yes	Local Government	Yes - Other service or product
6.16.8	12-37-270(A)	State	Statute	SCDOR from the Trust Fund for Tax Relief shall annually pay to the county or municipality in which a dwelling is located a sum equal to the taxes not collected because of the homestead exemption.	Yes	Local Government	Yes - Other service or product

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					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
6.16.9	12-37-270(B)	State	Statute	SCDOR shall purchase and distribute the applications for the homestead exemption and the costs must be paid from the trust fund.	Yes	Taxpayers	Yes - Other service or product
6.16.10	12-37-280(A)	State	Statute	SCDOR must make reimbursements to local governments for the homestead exemption on an annual basis.	Yes	Local Government	Yes - Other service or product
6.16.11	12-37-450(A)	State	Statute	SCDOR shall make reimbursements for the inventory exemption to counties and municipalities in four equal payments. Counties and municipalities must be reimbursed for the inventory exemption based on the 1987 tax year millage and 1987 tax year assessed values for inventories.	Yes	Local Government	Yes - Other service or product
6.16.12	12-37-735 (B)	State	Statute	SCDOR must design a form in which a transferor assumes personal liability for his share of the taxes when property is transferred.	Yes	Taxpayers	Yes - Other service or product
6.16.13	12-37-970	State	Statute	SCDOR determines assessment of merchants' property and other business personal property and must supply these assessments to the counties.	Yes	Local Government	Yes - Other service or product
6.16.14	12-37-1610	State	Statute	SCDOR shall prescribe a form for property filings of railroads.	Yes	Taxpayers	Yes - Other service or product
6.16.15	12-37-1680	State	Statute	SCDOR shall proceed to ascertain value of railroads when railroad companies refuse to file.	Yes	Taxpayers	Yes - Other service or product
6.16.16	12-37-2000	State	Statute	SCDOR shall examine statements filed by telegraph and telephone companies.	Yes	Taxpayers	Yes - Other service or product
6.16.17	12-37-2120	State	Statute	SCDOR prescribes form on which carlines pay property taxes.	Yes	Taxpayers	Yes - Other service or product
6.16.18	12-37-2130	State	Statute	SCDOR shall annually assess the valuation of all private cars of each private car company.	Yes	Taxpayers	Yes - Other service or product
6.16.19	12-37-2140	State	Statute	SCDOR must determine valuation of carlines.	Yes	Taxpayers	Yes - Other service or product
6.16.20	12-37-2150	State	Statute	SCDOR shall levy against carlines and determine average levy for all purposes in state.	Yes	Taxpayers	Yes - Other service or product
6.16.21	12-37-2430	State	Statute	SCDOR shall annually assess; adjust, equalize and apportion the valuation of all aircraft in this State.	Yes	Taxpayers	Yes - Other service or product
6.16.22	12-37-2450	State	Statute	SCDOR shall annually levy tax against the value of aircraft so determined and collect the tax.	Yes	Taxpayers	Yes - Other service or product
6.16.23	12-37-2680	State	Statute	SCDOR must provide motor vehicle guides to counties.	Yes	Local Government	Yes - Other service or product
6.16.24	12-37-2850	State	Statute	SCDOR must assess and collect property taxes on motor carriers and remit collections to the State Treasurer's Office and the State Treasurer's Office makes disbursements in accordance with SC Code Sec. 12-37-2870	Yes	State Treasurer	Yes - Other service or product
6.16.25	12-37-2860	State	Statute	SCDOR to retain a one-time fee for the cost to record and administer the motor carrier registration fee.	No		No

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					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
6.16.26	12-37-3150(A)(8)	State	Statute	SCDOR shall provide the form used to notify the tax assessor after a conveyance of an ownership interest that constitutes an assessable transfer of interest.	Yes	Local Government	Yes - Other service or product
6.16.27	12-37-3160(A)	State	Statute	SCDOR shall examine the substance rather than merely the form of the transfer in determining whether an assessable transfer of interest has occurred.	Yes	Taxpayers	Yes - Other service or product
6.16.28	12-37-3160(B)	State	Statute	SCDOR must prescribe the certificate that is contained with the property tax notice which certifies the details of the ownership of property.	Yes	Taxpayers	Yes - Other service or product
6.17	Title 12, Chapter 39			County Auditors and SCDOR partnership responsibilities with Counties to assess property.			
6.17.1	12-39-15(A)	State	Statute	SCDOR must establish the content, cost and dates of continuing education courses that county auditors must complete.	Yes	Local Government	Yes - Other service or product
6.17.2	12-39-150	State	Statute	SCDOR must prescribe the manner in which county auditors must list in a book all taxable property in the county and the value of it as equalized.	Yes	Local Government	Yes - Other service or product
6.17.3	12-39-180	State	Statute	SCDOR must provide statements of the rates and sums to be levied for the current year to be used by county auditors. SCDOR shall prescribe the manner and form by which county auditors must list the property for taxation. SCDOR or the county auditor must place a minimum assessment of at least twenty dollars on all personal property that generates a tax bill.	Yes	Local Government	Yes - Other service or product
6.17.4	12-39-350	State	Statute	When notified by the county auditor of property which is required by law to be assessed has been omitted, SCDOR shall appraise and assess the omitted personal property.	Yes	Local Government	Yes - Other service or product
6.18	Title 12, Chapter 43			County Equalization and Reassessment: SCDOR's responsibility to promulgate regulations to ensure equalization which must be adhered to by all assessing officials in the State.			
6.18.1	12-43-220 (g)	State	Statute	SCDOR must apply an equalization factor to real and personal property owned by or leased to transportation companies for hire as mandated by federal legislation.	Yes	Taxpayers	Yes - Other service or product
6.18.2	12-43-224(3)	State	Statute	SCDOR must approve forms for discounted values which must be applied for subdivided lots with the local assessor.	Yes	Local Government	Yes - Other service or product
6.18.3	12-43-230(a)	State	Statute	SCDOR shall provide by regulation a more detailed definition of agricultural real property consistent with the general definition set forth in this section which will be used by the county assessors.	Yes	Local Government	Yes - Other service or product

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					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
6.18.4	12-43-230 (d)(3)	State	Statute	SCDOR must approve forms to be used for application of special valuation with the assessor for homeowners associations.	Yes	Local Government	Yes - Other service or product
6.18.5	12-43-250	State	Statute	SCDOR shall make sales ratio studies in all counties of the State.	Yes	Local Government	Yes - Other service or product
6.18.6	12-43-300	State	Statute	SCDOR shall prescribe a standard reassessment form designed to contain information required in Section 12-60-2510(A)(1).	Yes	Local Government	Yes - Other service or product
6.19	Title 12, Chapter 44			Fee In Lieu of Tax Simplification Act: SCDOR's administration responsibilities			
6.19.1	12-44-50(A)(1)(c)(i)	State	Statute	In certain special instances, SCDOR must determine the value of property subject to the fee.	Yes	Taxpayers	Yes - Other service or product
6.19.2	12-44-90(H)	State	Statute	SCDOR must develop forms and procedures for processing fee-in-lieu extension requests.	Yes	Taxpayers	Yes - Other service or product
6.20	Title 12, Chapter 45			County Treasurers and Collection of Taxes: SCDOR's requirement to provide continuing education to County Treasurers and SCDOR partnership responsibilities with Counties to collect.			
6.20.1	12-45-15(A)	State	Statute	SCDOR must establish the content, cost and dates of annual continuing education courses that county treasurers must complete.	Yes	Local Government	Yes - Other service or product
6.20.2	12-45-17	State	Statute	SCDOR must establish the content, cost and dates of annual continuing education courses that county tax collectors must complete.	Yes	Local Government	Yes - Other service or product
6.20.3	12-45-70(A)	State	Statute	SCDOR must direct and supervise the manner in which the county treasurer should collect taxes as prescribed by law.	Yes	Local Government	Yes - Other service or product
6.21	Title 12, Chapter 53			Tax Collection by the Department of Revenue: SCDOR's responsibility to remit to the clerk of court liens against the property seized and sold.			
6.21.1	12-53-50	State	Statute	SCDOR shall remit to the clerk of court of the county the amount of prior liens against the property seized and sold.	Yes	Local Government	Yes - Other service or product
6.22	Title 12, Chapter 54			Uniform Method of Collection and Enforcement of Taxes Levied and Assessed by SCDOR			
6.22.1	12-54-25(C)(1)	State	Statute	SCDOR must determine amount of interest on refunds.	Yes	Taxpayers	Yes - Other service or product
6.22.2	12-54-250(F)(2)	State	Statute	SCDOR shall include a notice detailing electronic filing requirements for tax return preparers filing one hundred or more returns in its form instructions and in the forms area of its website.	Yes	Taxpayers	Yes - Other service or product
6.23	Title 12, Chapter 55			Overdue Tax Debt Collection Act: SCDOR's responsibility to notify the taxpayer of collection assistance fee and fee credit requirements.			

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					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
6.23.1	12-55-40	State	Statute	SCDOR shall notify a taxpayer that a collection assistance fee may be imposed in order to impose a collection assistance fee on a tax debt. The collection assistance fee must be credited to a special account within SCDOR to be used to fund the South Carolina Business One Stop (SCBOS) program within SCDOR. Any excess proceeds above the amount required to fund SCBOS must be credited to SCDOR for use in budgeted operations.	Yes	Taxpayers	Yes - Other service or product
6.23.2	12-55-70	State	Statute		No		Yes - Other service or product
6.24	Title 12, Chapter 56						
				Setoff Debt Collection Act: SCDOR's administrative responsibility			
6.24.1	12-56-60 (B)	State	Statute	SCDOR shall determine if debtor is due a refund and shall set off the delinquent debt against the refund.	Yes	Taxpayers	Yes - Other service or product
6.24.2	12-56-80(A)	State	Statute	SCDOR must transmit proceeds and accounting of setoffs to claimant agencies.	Yes	Claimant Agencies	Yes - Other service or product
6.25	Title 12, Chapter 58						
				South Carolina Taxpayers' Bill of Rights: SCDOR's administrative responsibility			
6.25.1	12-58-30	State	Statute	SCDOR shall establish the position of the taxpayer advocate. The taxpayer advocate is responsible for facilitating resolution of taxpayer's complaints and problems.	Yes	Taxpayers	Yes - Other service or product
6.25.2	12-58-40	State	Statute	SCDOR shall develop and implement a taxpayer education and information program.	Yes	Taxpayers	Yes - Other service or product
6.25.3	12-58-50 (B)	State	Statute	SCDOR shall annually publish a report of recommendations for improving taxpayer compliance and uniform administration.	No	Policy Makers and Taxpayers	Yes - Other service or product
6.25.4	12-58-80	State	Statute	SCDOR must develop and implement a program to evaluate employee's performance with respect to contact with taxpayers. The program must be coordinated with the Taxpayers' Rights Advocate.	No	Taxpayers	Yes - Other service or product
6.25.5	12-58-120	State	Statute	Provides guidelines where, under certain circumstances, SCDOR shall release any levy issued.	Yes	Taxpayers	Yes - Other service or product
6.25.6	12-58-150	State	Statute	SCDOR shall provide an administrative appeal procedure for releasing liens.	Yes	Taxpayers	Yes - Other service or product
6.25.7	12-58-160(A)	State	Statute	Requires action from SCDOR upon discovery of a lien that was filed in error.	Yes	Taxpayers	Yes - Other service or product
6.25.8	12-58-160(B)	State	Statute	When SCDOR releases a lien erroneously filed, notice must be mailed to the taxpayer and a copy of the release forwarded to the major credit reporting companies upon taxpayer request.	Yes	Taxpayers and Credit Reporting Agencies	Yes - Other service or product
6.25.9	12-58-165	State	Statute	If the department determines that no taxes were due, the recorded lien shall be expunged as if it were fully paid and satisfied.	Yes	Taxpayers	Yes - Other service or product

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					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
6.26	Title 12, Chapter 60			South Carolina Revenue Procedures Act: SCDOR's responsibility to provide a straightforward procedure to determine a dispute.			
6.26.1	12-60-410	State	Statute	SCDOR shall assess all state taxes, interest, additions to taxes, and penalties. Also, SCDOR shall furnish a copy of an assessment to the taxpayer upon request.	Yes	Taxpayers	Yes - Other service or product
6.26.2	12-60-420(A)	State	Statute	In a division decision or a proposed assessment SCDOR must explain the basis for the division decision or proposed assessment and state the assessment will be made or the decision will be final unless the taxpayer protests.	Yes	Taxpayers	Yes - Other service or product
6.26.3	12-60-420(B)	State	Statute	SCDOR shall make available forms which taxpayers may use to protest a division decision or a proposed assessment.	Yes	Taxpayers	Yes - Other service or product
6.26.4	12-60-500	State	Statute	SCDOR shall issue an order to the State Treasurer to issue a refund if it's determined a refund is due.	Yes	Taxpayers	Yes - Other service or product
6.26.5	12-60-510(A)(2)	State	Statute	SCDOR must issue an assessment for taxes if a taxpayer fails to file a protest with SCDOR within ninety days.	Yes	Taxpayers	Yes - Other service or product
6.26.6	12-60-510 (B)	State	Statute	SCDOR shall issue an amended Department Determination in the same manner as the original if the original is remanded to SCDOR by the Administrative Law Court.	Yes	Taxpayers	Yes - Other service or product
6.26.7	12-60-1310 (C)	State	Statute	SCDOR and the person shall stipulate the facts and issues after a protest is filed to attempt to settle a case.	Yes	Taxpayers	Yes - Other service or product
6.26.8	12-60-1310 (D)(I)	State	Statute	SCDOR shall make a Department Determination using information provided in accordance with Section 12-60-30(15)(C)(iii).	Yes	Taxpayers	Yes - Other service or product
6.26.9	12-60-1310 (D)(2)	State	Statute	A Department Determination by SCDOR must be in writing.	Yes	Taxpayers	Yes - Other service or product
6.26.10	12-60-1330 (A)(3)	State	Statute	SCDOR shall deny, suspend, cancel, or revoke the license if a person fails to file a protest with SCDOR within ninety days.	Yes	Taxpayers	Yes - Other service or product
6.26.11	12-60-1330(B)	State	Statute	SCDOR shall issue an amended Department Determination in the same manner as the original if the original is remanded to SCDOR by the Administrative Law Court.	Yes	Taxpayers	Yes - Other service or product
6.26.12	12-60-1340	State	Statute	If SCDOR determines that public health, safety or welfare requires emergency action it shall seek an emergency revocation order from the Administrative Law Court.	Yes	Taxpayers	Yes - Other service or product
6.26.13	12-60-1720	State	Statute	SCDOR shall prescribe rules and procedures it considers appropriate to administer property tax protests.	Yes	Taxpayers	Yes - Other service or product

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6.26.14	12-60-1730	State	Statute	SCDOR shall provide protest forms to county assessors for property assessments. The use of these forms is not mandatory.	Yes	Local Government	Yes - Other service or product
6.26.15	12-60-2130	State	Statute	Upon remand of a case from the Administrative Law Court, SCDOR has thirty days, or a longer period if ordered by the Judge, to consider the new facts. SCDOR shall issue its amended Department Determination in the same manner as the original.	Yes	Taxpayers	Yes - Other service or product
6.26.16	12-60-2140(A)	State	Statute	SCDOR shall notify the county auditor where the property is located to adjust the property tax assessment under protest to eighty percent if the appeal is not reasonably expected to be resolved by December thirty first.	Yes	Local Government	Yes - Other service or product
6.26.17	12-60-2150 (B)	State	Statute	SCDOR shall notify the counties affected by any claim for refund of property tax.	Yes	Local Government	Yes - Other service or product
6.26.18	12-60-2150 (D)	State	Statute	The appropriate division of SCDOR shall determine what refund is due and give the property taxpayer written notice of its determination.	Yes	Taxpayers	Yes - Other service or product
6.26.19	12-60-2150 (F)	State	Statute	SCDOR shall consider any claim, determine the correct property tax assessment and issue any necessary orders. All appeals before SCDOR must be conducted as provided in Section 12-60-450 (C) through (E).	Yes	Taxpayers	Yes - Other service or product
6.26.20	12-60-2150 (H)	State	Statute	Upon remand, SCDOR has thirty days, or a longer period ordered by a Judge, to consider new facts and amend its Department Determination. SCDOR shall issue its amended Department Determination in the same manner as the original.	Yes	Taxpayers	Yes - Other service or product
6.27	Title 12, Chapter 62			South Carolina Motion Picture Incentive Act: SCDOR's responsibility for issuance of a sales tax exemption once a motion picture incentive is approved.			
6.27.1	12-62-40(C)(3)	State	Statute	SCDOR shall issue a sales tax exemption certificate once an application for motion picture incentives is approved by the Secretary of Commerce.	Yes	Taxpayers	Yes - Other service or product
6.27.2	12-62-50	State	Statute	SCDOR must remit withholding revenue to Parks, Recreation and Tourism upon request.	Yes	Parks, Recreation and Tourism	Yes - Other service or product
6.27.3	12-62-60(A)(1)	State	Statute	Amount of twenty-six percent of the general fund portion of admissions tax must be provided for exclusive use of the South Carolina Film Commission.	Yes	South Carolina Film Commission	Yes - Other service or product
7	Title 13	State		Planning, Research and Development			
7.1	13-1-1710	State	Statute	The Director of SCDOR shall serve as a member of the Coordinating Council for Economic Development.	Yes	Coordinating Council for Economic Development	Yes - Serving on board, commission, or committee
8	Title 16	State		Crimes and Offenses			

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					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
8.1	16-11-340	State	Statute	SCDOR shall print and distribute to each business establishment in the State that has a retail license, a cardboard placard advising of penalties for armed robbery.	Yes	Taxpayers	Yes - Other service or product
8.2	16-17-503(A)	State	Statute	SCDOR Director shall provide for the enforcement of 16-17-500 and 16-17-502 dealing with unlawful use of cigarettes and alternative nicotine products and shall conduct random, unannounced inspections of locations to determine compliance. SCDOR shall designate an enforcement officer to conduct annual inspections.	Yes	Taxpayers	Yes - Other service or product
9	Title 23	State		Law Enforcement and Public Safety			
9.1	23-47-50(F)	State	Statute	SCDOR requirement to provide form and collect 911 fees and deposit with State Treasurer.	Yes	Taxpayers	Yes - Other service or product
9.2	23-51-60 (G)	State	Statute	Cigarettes seized by law enforcement or the State Fire Marshal under the Ignition Propensity Standards must be turned over to SCDOR and forfeited to the State.	Yes	State	Yes - Other service or product
9.3	23-51-70 (B)	State	Statute	SCDOR in the regular course of business may inspect cigarette packages for ignition propensity marking. If cigarettes are not marked as required SCDOR shall notify the State Fire Marshal.	Yes	State Fire Marshal	Yes - Other service or product
10	Title 27	State		Property and Conveyances: Catawba Indian Claims Settlement Act			
10.1	27-16-110(B)(2)	State	Statute	Requires that SCDOR regulate Catawba Indian Bingo games and issue Special Catawba Bingo license.	Yes	Taxpayers	Yes - Other service or product
10.2	27-16-110 (C)(3)	State	Statute	SCDOR shall collect all revenues derived from the special tribal bingo tax.	Yes	Taxpayers	Yes - Other service or product
10.3	27-16-110 (E)	State	Statute	SCDOR has the authority to administer, and regulate all bingo games sponsored by the tribe. SCDOR has the authority to suspend or revoke the Tribe's bingo license. SCDOR shall notify the Tribe of violations and provide the Tribe with an opportunity to correct the violations before its license may be revoked.	Yes	Taxpayers	Yes - Other service or product
10.4	27-16-130(D)(4)	State	Statute	If the Tribe chooses to assess a tribal real property tax, SCDOR shall provide necessary assistance.	Yes	Taxpayers	Yes - Other service or product
10.5	27-16-130(F)(1)	State	Statute	A political subdivision may certify the deficiency of payment of property taxes to the State and the State shall levy against other taxable property of the taxpayer in the State and remit the proceeds to the appropriate taxing authority.	Yes	Taxpayers	Yes - Other service or product
10.6	27-16-130(H)(3)(a)	State	Statute	Requires SCDOR to administer and collect the tribal sales tax.	Yes	Taxpayers	Yes - Other service or product

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10.7	27-16-130(H)(3)	State	Statute	SCDOR must administer and collect the tribal sales tax and must separately account for the tribal sales tax.	Yes	Taxpayers	Yes - Other service or product
10	Title 30	State		Public Records. Freedom of Information Act			
10.1	30-4-30(B)	State	Statute	SCDOR may establish and collect a reasonable fee not to exceed the actual cost of the search, retrieval of records resulting from a Freedom of Information request.	NO		No
11	Title 31	State		Housing and Redevelopment: Mobile Homes and House Trailers			
11.1	31-17-340	State	Statute	SCDOR shall prescribe forms necessary to issue mobile home decals.	Yes	Taxpayers	Yes - Other service or product
11.2	31-17-370	State	Statute	SCDOR shall prescribe forms necessary for moving permits on mobile homes and how it should be displayed.	Yes	Taxpayers	Yes - Other service or product
12	Title 34	State		Banking, Financial Institutions and Money Bank Deposits			
12.1	34-11-70(a)	State	Statute	SCDOR can retain a non-sufficient fund fee for a check, draft, or other written order that is not paid by the bank because the maker or drawer did not have sufficient funds on deposit.	No		No
13	Title 38	State		Insurance			
13.1	38-55-570(C)	State	Statute	SCDOR shall report but not adjudicate all cases of suspected false statements to the Insurance Fraud Division of the Office of Attorney General.	Yes	Attorney General	Yes - Other service or product
14	Title 40	State		Professions and Occupations			
14.1	40-60-35 (A)(2)	State	Statute	Assessors and other staff responsible for the assessment of property must receive seven hours of instructions each year. This instruction must be received from SCDOR or other providers or courses approved by the Department of Labor, Licensing and Regulation.	Yes	Local Government	Yes - Other service or product
15	Title 43	State		Social Services			
15.1	43-5-120(a)	State	Statute	SCDOR shall provide the Department of Social Services director or his designees an abstract of the income tax return requested, or provide information concerning any item of income or expense contained in the income tax return or disclosed by any investigation of income or return of the applicant or recipient.	Yes	Department of Social Services	Yes - Other service or product
15.2	43-5-120(c)	State	Statute	The applicant or recipient whose income tax records have been requested from SCDOR shall be notified by mail that such request has been made at the time of the request.	Yes	Taxpayers	Yes - Other service or product
16	Title 44	State		Health: South Carolina Hazardous Waste Management Act and South Carolina Solid Waste Policy and Management Act			

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					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
16.1	44-56-405	State	Statute	SCDOR shall collect and enforce payment of surcharges and fees which constitute the Dry cleaning Facility Restoration Trust Fund	Yes	Taxpayers	Yes - Other service or product
16.2	44-56-420(A)	State	Statute	SCDOR must collect and administer Drycleaning Facility Restoration Trust Fund.	Yes	Drycleaning Facility Restoration Trust Fund	Yes - Other service or product
16.3	44-56-425	State	Statute	Sets forth requirements for Dry cleaning Exemption Certificate. SCDOR shall issue an updated dry cleaning facility exemption certificate to a new owner or operator upon request.	Yes	Taxpayers	Yes - Other service or product
16.4	44-56-430(3)	State	Statute	SCDOR can retain environmental surcharge to defray cost of administration	No		No
16.5	44-56-435 (A)	State	Statute	SCDOR shall distribute registration forms to owners and operators of dry cleaning and wholesale facilities and to property owners. SCDOR shall use reasonable efforts to identify and notify owners, operators, and property owners of dry cleaning and wholesale supply facilities of the registration requirements by certified mail, return receipt requested. SCDOR shall provide to DHEC a copy of each applicant's registration materials within thirty working days of the receipt of materials	Yes	Taxpayers and Department of Health and Environmental Control	Yes - Other service or product
16.6	44-56-435 (B)	State	Statute	SCDOR must administer, collect, and enforce the surcharge and fees in the same manner as sales and use taxes, except no timely payment discount, or exemptions or exclusions are allowed.	Yes	Taxpayers	Yes - Other service or product
16.7	44-56-435 (C)	State	Statute	SCDOR shall retain funds for the costs incurred to collect and enforce the fund. The proceeds of the registration fee and surcharges, after deducting the costs incurred by SCDOR must be remitted to the State Treasurer and credited to the Fund.	Yes	Drycleaning Facility Restoration Trust Fund	Yes - Other service or product
16.8	44-56-435 (F)	State	Statute	SCDOR shall create and update an annual report of all dry cleaning facilities in the State. Report must identify those that have a dry cleaning facility exemption certificate and must provide the status of the annual certificates of registration for those in the fund. SCDOR shall publicize the report and distribute it as widely as practical on October thirtieth of each year to interested parties.	Yes	Taxpayers	Yes - Providing report
16.9	44-56-440 (A)(2)(a)	State	Statute	SCDOR must notify the owner or operator of the dry cleaning facility of a registration by the property owner.	Yes	Taxpayers	Yes - Other service or product
16.10	44-56-440 (C)	State	Statute	SCDOR must issue a drycleaner's certificate of registration.	Yes	Taxpayers	Yes - Other service or product
16.11	44-56-470(D)	State	Statute	SCDOR can retain annual registration and fees for dry-cleaning facilities to defray cost of administration	NO		NO

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					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
16.12	44-56-470(E)	State	Statute	SCDOR shall review the application for eligibility and request any information within ninety days. SCDOR shall notify the applicant within one hundred eighty days the eligibility status.	Yes	Taxpayers	Yes - Other service or product
16.13	44-56-480(E)	State	Statute	SCDOR can retain the surcharge on drycleaning solvent and halogenated dry cleaning fluid to defray cost of administration	NO		NO
16.14	44-56-495(D)	State	Statute	An employee of SCDOR shall attend meetings of the Dry cleaning Advisory Council to provide the council informal assistance as to matters involving the surcharges and fees that are imposed by this act and administered and collected by SCDOR.	Yes	Dry Cleaning Advisory Council	Yes - Other service or product
16.15	44-96-120(B)	State	Statute	Allocates proceeds of solid waste disposal fees.	Yes	State and Local Government	Yes - Other service or product
16.16	44-96-160(W)(1)	State	Statute	SCDOR shall administer, collect and enforce the motor oil fee in the same manner as sales and use taxes.	Yes	Taxpayers	Yes - Other service or product
16.17	44-96-160(W)(2)	State	Statute	SCDOR shall remit fees collected pursuant to this chapter to the Solid Waste Management Trust Fund.	Yes	Solid Waste Management Trust Fund	Yes - Other service or product
16.18	44-96-160(X)	State	Statute	SCDOR is required to adjust the rate of the fee to reflect a full year's collection to produce the amount of revenue required in the fund.	Yes	Solid Waste Management Trust Fund	Yes - Other service or product
16.19	44-96-160(Y)	State	Statute	SCDOR shall promulgate regulations necessary to implement the provisions.	Yes	Taxpayers	Yes - Other service or product
16.2	44-96-170(N)	State	Statute	SCDOR shall administer, collect and enforce waste tire disposal fee in the same manner as sales and use tax. SCDOR shall remit fees collected to the State Treasurer.	Yes	Taxpayers and the Solid Waste Management Trust Fund	Yes - Other service or product
19.21	44-96-170(O)	State	Statute	SCDOR must provide requirements for verification of refunds on fees for tires.	Yes	Taxpayers	Yes - Other service or product
16.22	44-96-180(F)	State	Statute	SCDOR shall administer, collect and enforce lead acid battery fee in the same manner as sales and use tax. SCDOR shall remit fees to the State Treasurer.	Yes	Taxpayers and the Solid Waste Management Trust Fund	Yes - Other service or product
16.23	44-96-200 (E)	State	Statute	SCDOR shall administer, collect and enforce white good disposal fee in the same manner as sales and use tax. SCDOR shall remit fees to the State Treasurer.	Yes	Taxpayers and the Solid Waste Management Trust Fund	Yes - Other service or product
17	Title 46	State	Statute	South Carolina Farm Aid Fund			
17.1	46-1-160 (B)(1)	State	Statute	SCDOR shall assist the Department of Agriculture in the administration of the grant program by providing auditing services, accounting services, and review and oversight of all financial aspects of the grant program.	Yes	Department of Agriculture	Yes - Other service or product

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					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
17.2	46-1-160 (D)(1)	State	Statute	SCDOR shall utilize the provisions of the Setoff Debt Collections Act to collect money from a Farm Aid Grant recipient who provided inaccurate information or used funds for ineligible expenses.	Yes	Taxpayers	Yes - Other service or product
18	Title 48	State		Environmental Protection and Conservation			
18.1	48-30-40	State	Statute	Proceeds of the assessment on primary forest products shall be deposited to the forest renewal fund.	Yes	Forest Renewal Fund	Yes - Other service or product
18.2	48-30-50(1)	State	Statute	SCDOR shall develop administrative procedures to collect the assessment from primary forest product processors, deposit funds collected from the assessment and audit records to determine compliance.	Yes	Taxpayers	Yes - Other service or product
18.3	48-30-80	State	Statute	SCDOR shall enforce collection of the primary forest product assessment.	Yes	Taxpayers	Yes - Other service or product
18.4	48-46-40(D)(1)	State	Statute	SCDOR shall deposit with the State Treasurer payments on low level radioactive waste.	Yes	State Treasurer	Yes - Other service or product
19	Title 55	State		Aeronautics. State Aeronautical Regulatory Act			
19.1	55-5-280(A)(1)	State	Statute	Collections from the Aircraft Tax from Section 12-37-2410 shall be deposited with the State Treasurer into the State Aviation Fund.	Yes	State Treasurer and State Aviation Fund	Yes - Other service or product
19.2	55-5-280(B)	State	Statute	Revenue received from the Aircraft Tax as allowed in Section 12-37-2410 in excess of two and one-half million dollars shall be directed to the State Aviation Fund. Any revenue in excess of five million dollars must be credited in equal amounts to the general fund and State Aviation Fund.	Yes	General Fund and State Aviation Fund	Yes - Other service or product
20	Title 56	State		Motor Vehicles. Rental of Private Passenger Automobiles			
20.1	56-31-60(B)(1)	State	Statute	SCDOR shall deposit the heavy equipment rental fee to the local jurisdiction where the qualified heavy equipment was rented.	Yes	Local Government	Yes - Other service or product
21	Title 58	State		Public Utilities, Services and Carriers			
21.1	58-3-100	State	Statute	SCDOR must assess each utility company, railway company, household goods carrier and hazardous waste for disposal carrier its proportion of the expenses in proportion to its gross income from operation in this State. Assess the companies and collect in the manner provided by law for the collection of taxes and remit into the state treasury as other taxes.	Yes	Taxpayers and State Treasurer	Yes - Other service or product
21.2	58-4-60(B)(2)	State	Statute	SCDOR must assess each public utility, railway company, household goods carrier, and hazardous waste for disposal carrier its proportion of the expenses in proportion to its gross income from operation in this State. SCDOR bills and collects this tax for the Public Services Commission and Office of Regulatory Staff.	Yes	Public Service Commission and Office of Regulatory Staff	Yes - Other service or product

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21.3	58-4-60 (B)	State	Statute	SCDOR can retain a portion of the assessment amount to defray operation cost.	No		No
21.4	58-5-480	State	Statute	SCDOR on or before the first day of July in each year must assess each natural gas utility regulated and collect in the manner provided by law. The assessments must be deposited in a special fund with the State Treasurer's Office.	Yes	Taxpayers and State Treasurer	Yes - Other service or product
21.5	58-9-2535	State	Statute	SCDOR must collect a dual relay charge from Commercial Mobile Radio Service (CMRS) providers and remit revenue to the Office of Regulatory Staff.	Yes	Office of Regulatory Staff	Yes - Other service or product
21.6	58-9-2630(D)	State	Statute	SCDOR shall require an annual report of all communications service providers.	Yes	Taxpayers	Yes - Other service or product
21.7	58-25-80	State	Statute	SCDOR is responsible for promulgating regulations for exemptions by nonprofits who are regional transportation authorities.	Yes	Taxpayers	Yes - Other service or product
22	Title 59	State	Statute	Education			
22.1	59-20-20(3)	State	Statute	SCDOR shall exclude an imputed value of impact aid receipts from the Index of Taxpaying Ability. The Index must be determined annually from sales ratio data. SCDOR shall provide a preliminary Index by December first of each year and a final Index by February first to the Department of Education and to each auditor of each county. SCDOR shall adjust the Index in the year in which an appeal is resolved. The data gathered by SCDOR to determine the Index must be preserved as public records in the offices of SCDOR for four years. SCDOR shall file a statement stating the methodology employed in making the annual determination of the Index. All worksheets, computer printouts, the actual calculation, appraisals and all working papers must be preserved as part of the public record. SCDOR must use only reported consideration on sales for which deeds have been placed on public record. SCDOR shall make appraisals where sales data is not available. The value of a fee-in-lieu of taxes shall be computed by SCDOR basing the computation on the net fee received and retained by the SCDOR must allocate proceeds of additional sales tax imposed by the Education Improvement Act to the State Treasurer.	Yes	Department of Education and Local Government	Yes - Other service or product
22.2	59-21-1010	State	Statute		Yes	State Treasurer	Yes - Other service or product
23	Title 61	State	Statute	Alcohol and Alcoholic Beverages			
23.1	Title 61, Chapter 2			General Provisions: SCDOR administrative duties to license, permit and certify alcohol beverage retail location.			

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					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
23.1.1	61-2-20	State	Statute	SCDOR is vested with the power to administer Title 61. SCDOR shall issue all licenses, permits and certificates provided for in this title.	Yes	Taxpayers	Yes - Other service or product
23.1.2	61-2-70	State	Statute		Yes	Taxpayers	Yes - Other service or product
23.1.3	61-2-80	State	Statute	SCDOR is empowered to regulate the operation of all retail locations authorized to sell beer, wine or alcoholic liquor. SCDOR is authorized to establish conditions or restrictions on issuing or renewing a license or permit.	Yes	Taxpayers	Yes - Other service or product
23.1.4	61-2-100 (B)	State	Statute	SCDOR shall initiate action to revoke any permit or license that is issued to any person who is not the owner or when the licensed individual or an individual principal is under twenty-one years of age.	Yes	Taxpayers	Yes - Other service or product
23.1.5	61-2-105	State	Statute	SCDOR shall collect increased application and license fees for purposes of funding SLED operations and shall allocate these fees to SLED as soon as practicable.	Yes	Taxpayers	Yes - Other service or product
23.1.6	61-2-136	State	Statute	SCDOR shall transfer the permit of a currently licensed beer and wine wholesaler or currently licensed alcoholic liquor wholesaler upon notice in writing of the new location.	Yes	Taxpayers	Yes - Other service or product
23.1.7	61-2-145(B)	State	Statute	SCDOR must require all applications for biennial permits to sell alcohol for on premise consumption to include the requirement to maintain a liquor liability insurance policy.	Yes	Taxpayers	Yes - Other service or product
23.1.8	61-2-145(C)	State	Statute	SCDOR must prescribe the manner permittees should notify SCDOR of the status of the insurance policy.	Yes	Taxpayers	Yes - Other service or product
23.1.9	61-2-160	State	Statute	SCDOR shall notify an applicant of a license or permit under Title 61 of the necessary requirements to comply if SCDOR determines that delinquent taxes, penalties, or interest are due.	Yes	Taxpayers	Yes - Other service or product
23.1.10	61-2-185 (B)	State	Statute	SCDOR must promulgate the application process for nonprofit organizations. SCDOR must deny any application that does not contain the information required.	Yes	Taxpayers	Yes - Other service or product
23.2	Title 61, Chapter 4						
	Beer, Ale, Porter and Wine: SCDOR's administrative duties to issue certificate of registration for producers and wholesalers of beer and wine.						
23.2.1	61-4-310(A)	State	Statute	SCDOR must prescribe forms for a certificate of registration.	Yes	Taxpayers	Yes - Other service or product
23.2.2	61-4-310 (B)	State	Statute	SCDOR in its discretion must issue or reject the application for a certificate of registration.	Yes	Taxpayers	Yes - Other service or product

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23.2.3	61-4-520(7)(a)	State	Statute	SCDOR shall determine which newspapers meet the requirements of a newspaper most likely to serve notice to interested citizens in the case of application to sell beer or wine.	Yes	Media	Yes - Other service or product
23.2.4	61-4-525 (C)	State	Statute	SCDOR shall continue to process an application and issue the permit to sell beer or wine if a protestant has no desire to attend a hearing.	Yes	Taxpayers	Yes - Other service or product
23.2.5	61-4-1515(A)(9)	State	Statute	SCDOR must maintain Brewery Insurance information.	Yes	Taxpayers	Yes - Other service or product
23.2.6	61-4-1515(C)	State	Statute	SCDOR must terminate a brewery permit and license if the brewery operations cease.	Yes	Taxpayers	Yes - Other service or product
23.2.7	61-4-1515(F)	State	Statute	SCDOR must waive newspaper notice and sign posting requirements for brewpubs applying for a brewery permit.	Yes	Media	Yes - Other service or product
23.2.8	61-4-1515 (G)	State	Statute	Breweries who have subsequent violations within a three year period must have their permit suspended by SCDOR for not less than thirty days. Revenue generated from violation fines must be transferred to State Law Enforcement Division (SLED).	Yes	Taxpayers and State Law Enforcement Division	Yes - Other service or product
23.2.9	61-4-1920 (B)	State	Statute	SCDOR shall prescribe the forms and ID tags for beer kegs provided to retail licensees.	Yes	Taxpayers	Yes - Other service or product
23.3	Title 61, Chapter 6						
23.3.1	61-6-80	State	Statute	SCDOR shall file annual reports with the Governor and the General Assembly.	Yes	Governor and General Assembly	Yes - Providing report
23.3.2	61-6-100	State	Statute	SCDOR has the exclusive power to suspend and revoke all licenses.	Yes	Taxpayer	Yes - Other service or product
23.3.3	61-6-120	State	Statute	SCDOR shall not issue a license to any place of business not meeting the proximity requirements to a school, church or playground.	Yes	Taxpayer	Yes - Other service or product
23.3.4	61-6-180(A)	State	Statute	SCDOR must determine which newspapers meet the advertising requirements.	Yes	Media	Yes - Other service or product
23.3.5	61-6-185(B)	State	Statute	SCDOR shall determine a protestant's intent to attend a contested case hearing before the Administrative Law Court.	Yes	Taxpayer	Yes - Other service or product
23.3.6	61-6-185(C)	State	Statute	SCDOR shall continue to process the application if protestant has no desire to attend contested case hearing.	Yes	Taxpayer	Yes - Other service or product
23.3.7	61-6-190	State	Statute	SCDOR shall not issue any license until the applicant has paid the license tax.	Yes	Taxpayer	Yes - Other service or product
23.3.8	61-6-195	State	Statute	SCDOR shall not issue or renew a license until the applicant certifies that no alcoholic liquors were purchased from a person who does not hold a wholesaler's license.	Yes	Taxpayer	Yes - Other service or product

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23.3.9	61-6-505(D)	State	Statute	SCDOR shall collect a fee of twenty-five dollars for each temporary license sought.	Yes	Taxpayer	Yes - Other service or product
23.3.10	61-6-700	State	Statute	SCDOR must provide the form and conditions for the licensing of establishments using alcoholic beverages in the preparation of food. A person violating this provision must be fined five hundred dollars and other licenses held must be revoked.	Yes	Taxpayer	Yes - Other service or product
23.3.11	61-6-720	State	Statute	SCDOR must establish the form of the application for the special baking food manufacturer's license. SCDOR must revoke this license of any operator permitting the consumption of alcoholic liquor as a beverage.	Yes	Taxpayer	Yes - Other service or product
23.3.12	61-6-900	State	Statute	SCDOR must refund any portion of a license not used to a personal representative if the business is not continued after a licensee's death.	Yes	Taxpayer	Yes - Other service or product
23.3.13	61-6-910	State	Statute	SCDOR must refuse to issue any license to an applicant not a suitable person, business is not suitable or a sufficient number of licenses have already been issued.	Yes	Taxpayer	Yes - Other service or product
23.3.14	61-6-930	State	Statute	SCDOR must revoke the license of a wholesaler if there is a direct or indirect interest in a retail store by the wholesaler.	Yes	Taxpayer	Yes - Other service or product
23.3.15	61-6-940	State	Statute	SCDOR must revoke a retail license to sell alcoholic liquors if the licensee is indebted to a wholesaler except for current purchases not past due.	Yes	Taxpayer	Yes - Other service or product
23.3.16	61-6-1530(1)	State	Statute	SCDOR must prescribe the size and location of the sign prohibiting the possession of alcohol by a person under twenty-one.	Yes	Taxpayer	Yes - Other service or product
23.3.17	61-6-1530(2)	State	Statute	SCDOR must prescribe the size and location of the sign related to the restrictions of transporting of alcohol.	Yes	Taxpayer	Yes - Other service or product
23.3.18	61-6-1530(3)	State	Statute	SCDOR must prescribe the size and location of the sign related to the unlawful purchase of alcoholic liquors by one retail dealer from another dealer.	Yes	Taxpayer	Yes - Other service or product
23.3.19	61-6-1610(H)	State	Statute	SCDOR shall suspend the license of an establishment not meeting the Grade A level after thirty day notice.	Yes	Taxpayer	Yes - Other service or product
23.3.20	61-6-1810(A)	State	Statute	SCDOR has exclusive authority in issuing, renewing, suspending or revoking licenses.	Yes	Taxpayer	Yes - Other service or product
23.3.21	61-6-1820(4)	State	Statute	SCDOR shall determine which newspapers meet the advertising requirement.	Yes	Media	Yes - Other service or product
23.3.22	61-6-1820(8)	State	Statute	SCDOR must not issue a permanent license until interested parties have been given opportunity to be heard.	Yes	Taxpayer	Yes - Other service or product

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Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Customer/Client		Deliverable
					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
23.3.23	61-6-1825(B)	State	Statute	SCDOR must determine a protestant's intent to attend a contested case hearing. If the protestant intends to attend the hearing, SCDOR must not issue the license but must forward the file to the Administrative Law Court. SCDOR must continue the application process if the protestant is not attending the contested case hearing.	Yes	Taxpayer	Yes - Other service or product
23.3.24	61-6-1825(C)	State	Statute	SCDOR shall charge a nonrefundable fee of thirty-five dollars for temporary permits.	Yes	Taxpayer	Yes - Other service or product
23.3.25	61-6-2000(A)	State	Statute	SCDOR shall require the applicant to obtain a criminal background check within ninety days of an application for a temporary permit. SCDOR shall deny the application if the criminal background check is not submitted or obtained more than ninety days prior to the application.	Yes	Taxpayer	Yes - Other service or product
23.3.26	61-6-2000(B)	State	Statute	SCDOR shall require an applicant to complete the law enforcement notification. The law enforcement notification shall be prepared by SCDOR for inclusion in the application.	Yes	Taxpayer	Yes - Other service or product
23.3.27	61-6-2000 (C)	State	Statute	SCDOR shall collect a fee of twenty-five dollars for each temporary one hundred twenty day license.	Yes	Taxpayer	Yes - Other service or product
23.3.28	61-6-2005	State	Statute	SCDOR shall charge a nonrefundable filing fee of one hundred dollars for processing each temporary permit application and a daily permit fee of fifty dollars for each day a temporary permit is approved. SCDOR must also offer the option of an annual fifty-two week temporary permit for a nonrefundable fee of three thousand dollars per year. SCDOR in its sole discretion shall specify the terms and conditions of the permit	Yes	Taxpayer	Yes - Other service or product
23.3.29	61-6-2010	State	Statute	SCDOR shall deposit fees collected with the State Treasurer	Yes	State Treasurer	Yes - Other service or product
23.3.30	61-6-2360	State	Statute	SCDOR shall promulgate regulations to implement the regulation of alcoholic liquors.	Yes	Taxpayer	Yes - Other service or product
23.3.31	61-6-2610	State	Statute	SCDOR shall impose a penalty of twenty dollars per container of alcoholic liquors in possession of a person, corporation or organization in violation of any provision of the ABC Act.	Yes	Taxpayer	Yes - Other service or product
23.3.32	61-6-2840	State	Statute	SCDOR must prescribe the forms for a certificate of registration for the shipment of alcoholic liquors by a producer to a point within this state.	Yes	Taxpayer	Yes - Other service or product
23.3.33	61-6-2850	State	Statute	SCDOR must develop forms for a certificate of registration for each brand of alcoholic liquors intended to be shipped to a point within this state.	Yes	Taxpayer	Yes - Other service or product
23.3.34	61-6-2870	State	Statute	SCDOR must provide appropriate forms for application for a certificate of registration as a producer representative.	Yes	Taxpayer	Yes - Other service or product

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					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
23.3.36	61-6-2890(A)	State	Statute	SCDOR shall prescribe forms for a license to operate as a warehouse.	Yes	Taxpayer	Yes - Other service or product
23.3.37	61-6-2900	State	Statute	SCDOR shall prescribe forms for a food manufacturer or producer representative to ship alcoholic liquors.	Yes	Taxpayer	Yes - Other service or product
23.3.38	61-6-2970	State	Statute	All monies received by SCDOR must be deposited with the State Treasurer.	Yes	Taxpayer	Yes - Other service or product
23.3.39	61-6-4250	State	Statute	SCDOR shall develop forms for clerks of court to provide the names of persons convicted for any violation under Article 13. SCDOR shall forward to the Department of Public Safety a certified copy of the record upon receipt.	Yes	Taxpayer and Department of Public Safety	Yes - Other service or product
23.3.40	61-6-4310	State	Statute	Alcoholic liquors seized by SCDOR must be sold at public auction.	Yes	Taxpayer	Yes - Other service or product
24	Acts						
24.1	Section 8. Act No. 355 of 2004: State Clarendon School District Tax	State	Statute	SCDOR, the State Department of Education, and the Clarendon County Auditor shall furnish data to the State Treasurer, the county treasurer, and to the school districts receiving tax revenues pursuant to this act for the purpose of calculating distributions and estimating revenue. The information that must be supplied to Clarendon County school districts upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers.	Yes	State Treasurer and Local Government	Yes - Other service or product
24.2	Section 7. Act No. 588 of 1994: State Cherokee School District Tax	State	Statute	SCDOR shall furnish data to the State Treasurer and to the school districts receiving tax revenues pursuant to this act for the purpose of calculating distributions and estimating revenues. The information which must be supplied to Cherokee County School District 1 upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers.	Yes	State Treasurer and Local Government	Yes - Other service or product
24.3	Section 6. Act No. 132 of 2003: State Darlington School District Tax	State	Statute	The sales and use tax levied pursuant to this act must be administered and collected by SCDOR in the same manner that other sales and use taxes are collected.	Yes	Taxpayers	Yes - Other service or product
24.4	Section 8. Act No. 132 of 2003: State Darlington School District Tax	State	Statute	SCDOR shall furnish data to the State Treasurer and to the school districts for the purpose of calculating distributions and estimating revenues. The information which must be supplied to the school district upon request, includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers.	Yes	State Treasurer and Local Government	Yes - Other service or product
24.5	Section 1(F). Act No. 146 of 2001: Jasper School District Tax	State	Statute	The tax levied pursuant to this section must be administered and collected by SCDOR in the same manner that other sales and use taxes are collected.	Yes	Taxpayers	Yes - Other service or product

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					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
24.6	Section 1(H), Act No. 146 of 2001: Jasper School District Tax	State	Statute	SCDOR shall furnish data to the State Treasurer and to the district for the purpose of calculating distributions and estimating revenues. The information which must be supplied to the district upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers.	Yes	State Treasurer and Local Government	Yes - Other service or product
24.7	Section 9, Act No. 426 of 2006: State Lee School District Tax	State	Statute	SCDOR, the State Department of Education, and the Lee County Auditor shall furnish data to the State Treasurer, the county treasurer, and to the governing body for the purpose of calculating distributions and estimating revenues. The information that must be supplied to the governing body upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers.	Yes	State Treasurer and Local Government	Yes - Other service or product
24.8	Section 6, Act No. 378 of 2004: State Lexington School District Tax	State	Statute	The tax levied pursuant to this act must be administered and collected by SCDOR in the same manner that other sales and use taxes are collected.	Yes	Taxpayers	Yes - Other service or product
24.9	Section 8, Act No. 378 of 2004: State Lexington School District Tax	State	Statute	SCDOR shall furnish data to the State Treasurer and to the school districts receiving tax revenues pursuant to this act for the purpose of calculating distributions and estimating revenues. The information which must be supplied to each school district upon request, includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers.	Yes	State Treasurer and Local Government	Yes - Other service or product
25 Regulations							
25.1	Regulation - 117-200.2 (l)(2)(c)	State	Regulation	If a taxpayer converts machine sensible records, including copies of files to a standard record format, SCDOR is responsible for developing the format.	Yes	Taxpayers	Yes - Other service or product
25.2	Regulation - 117-850.1	State	Regulation	SCDOR must provide forms for the completion of income tax returns. Reproduced or computer prepared forms must conform to the standards issued by the forms management section of SCDOR.	Yes	Taxpayers	Yes - Other service or product
25.3	Regulation - 117-850.2	State	Regulation	SCDOR must publish standards for the specifications for using non paper methods.	Yes	Taxpayers	Yes - Other service or product
25.4	Regulation - 117-875	State	Regulation	SCDOR must determine voluntary contributions to check offs at least annually.	Yes	Taxpayers	Yes - Other service or product
25.5	Regulation - 117-1200.3	State	Regulation	SCDOR must prescribe forms for the reporting of the number of cases of alcoholic liquors sold during the preceding month.	Yes	Taxpayers	Yes - Other service or product
25.6	Regulation - 117-1250.1	State	Regulation	SCDOR must prescribe forms for the reporting by wholesale beer and wine dealers of purchases or exchange of their products with other wholesale dealers.	Yes	Taxpayers	Yes - Other service or product

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Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Customer/Client		Deliverable
					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
25.7	Regulation - 117-1600.1	State	Regulation	SCDOR must prescribe forms for reporting of sales of cigarettes.	Yes	Taxpayers	Yes - Other service or product
25.8	Regulation - 117-1600.2 (a)	State	Regulation	SCDOR shall develop and order forms for cigarette stamps.	Yes	Taxpayers	Yes - Other service or product
25.9	Regulation - 117-1600.2(d)	State	Regulation	SCDOR shall develop forms for purchase of exempt stamps.	Yes	Taxpayers	Yes - Other service or product
25.10	Regulation - 117-1600.2(d)(2)	State	Regulation	SCDOR shall develop procedures related to tamper-evident features of stamps.	Yes	Taxpayers	Yes - Other service or product
25.11	Regulation - 117-1600.3(6)	State	Regulation	SCDOR shall develop forms and processes for authorizing refunds.	Yes	Taxpayers	Yes - Other service or product
25.12	Regulation - 117-1600.5(B)	State	Regulation	SCDOR must develop and advise of storage requirements. SCDOR must approve staging areas.	Yes	Taxpayers	Yes - Other service or product
25.13	Regulation - 117-1720.2(A)	State	Regulation	SCDOR shall annually make a ratio study of all the counties in the State to determine level of appraisal as provided in Section 12-43-250.	Yes	Local Government	Yes - Other service or product
25.14	Regulation - 117-1720.3	State	Regulation	SCDOR must supply a copy of the final index of taxing ability to the Department of Education and the auditor of each county on or before February first.	Yes	Department of Education and Local Government	Yes - Other service or product
25.15	Regulation - 117-1740.1	State	Regulation	SCDOR directs what information must be contained in a building permit.	Yes	Taxpayers	Yes - Other service or product
25.16	Regulation - 117-1740.3	State	Regulation	SCDOR directs what information must be kept by counties in order to value property for property tax purposes.	Yes	Local Government	Yes - Other service or product
25.17	Regulation - 117-1740.4	State	Regulation	SCDOR must provide forms to all counties for the purpose of providing information for ratio studies. SCDOR must also approve the forms for submission of information in an electronic form.	Yes	Local Government	Yes - Other service or product
25.18	Regulation - 117-1840.2 (C)	State	Regulation	SCDOR is responsible for implementing the use value procedures for timberland and cropland.	Yes	Taxpayers	Yes - Other service or product
26	Provisions						
26.1	1.48	State	Proviso	(SDE: Impute Index Value) For the current fiscal year and for the purposes of calculating the index of taxing ability the SCDOR shall impute an index value for owner-occupied residential property qualifying for the special four percent assessment ratio. The SCDOR shall not include sales ratio data in its calculation of the index of taxing ability.	Yes	Taxpayers	Yes - Other service or product

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Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Customer/Client		Deliverable
					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
26.2	1A.7	State	Proviso	(SDE-EIA: Disbursements/Other Entities) Notwithstanding the provisions of Sections 2-7-66 and 11-3-50, South Carolina Code of Laws, it is the intent of the General Assembly that funds appropriated in Part IA, Section 1, VIII.E. Other State Agencies and Entities shall be disbursed on a quarterly basis by the SCDOR directly to the state agencies and entities referenced except for the Teacher Loan Program, Centers of Excellence, the Education Oversight Committee and School Technology, which shall receive their full appropriation at the start of the fiscal year from available revenue. The SCDOR is also directed to provide the first quarter appropriation of the funding appropriated in Part IA, Section 1, VIII.G. Charter School District to the Department of Education at the start of the fiscal year from available revenue.			
26.3	47.2	State	Proviso	SCDOR shall reimburse the Department of Natural Resources the cost of collecting the casual sales tax from revenues generated by the casual sales tax.	Yes	State Agencies	Yes - Other service or product
26.4	93.7	State	Proviso	(DOA: Guardian Ad Litem Program) For the current fiscal year, the SCDOR is directed to reduce the rate of interest paid on eligible refunds by two percentage points. The revenue resulting from this reduction must be used exclusively for operations of the Guardian ad Litem program and be deposited in the State Treasury in a separate and distinct fund known as the "South Carolina Guardian ad Litem Trust Fund"	Yes	Department of Natural Resources	Yes - Other service or product
26.5	109.2	State	Proviso	(SCDOR: Court Order Funds Carry Forward) Funds awarded to the SCDOR by court order shall be retained in a special account and shall be carried forward from year to year, and expended as needed to accomplish the purposes and conditions of said order if specified, and if not specified, as may be directed by the Director of the SCDOR.	No	South Carolina Guardian ad Litem Trust Fund	Yes - Other service or product
26.6	109.3	State	Proviso	(SCDOR: Rural Infrastructure Fund Transfer) Notwithstanding Section 12-10-85, the SCDOR is authorized to deposit revenues from the Rural Infrastructure Fund in excess of twelve million dollars to the Rural Infrastructure Fund under the Rural Infrastructure Authority. Any revenues in excess of seventeen million dollars shall be deposited in the Rural Infrastructure Fund under the Department of Commerce, Coordinating Council.	Yes	Rural Infrastructure Authority and Department of Commerce, Coordinating Council	Yes - Other service or product

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Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Customer/Client		Deliverable
					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
26.7	109.4	State	Proviso	(SCDOR: SCBOS Funds) SCDOR shall share equally the collection assistance fees imposed on overdue tax debt with the South Carolina Business One Stop program. The funds received by the department from this fee shall be used for continued administration of the revenue laws in a fair and impartial manner. Any unexpended funds generated by the fee shall be carried forward from the prior fiscal year into the current fiscal year and shall also be shared equally between the SCDOR and the South Carolina Business One Stop program.	Yes	Taxpayer	Yes - Other service or product
26.8	109.6	State	Proviso	(SCDOR: Candidate Tax Return Programs) (A) From the funds appropriated in this act, the SCDOR must develop a program to process inquiries from a candidate for an office of this State or its political subdivisions or any gubernatorial appointee concerning whether that candidate or appointee has filed annual state income tax returns that he was required to file during the past ten years, regardless of the source of income, has paid all income taxes due during that time period, and has satisfied all judgments, liens, or other penalties for failure to pay income taxes when due. (B) Unless a candidate or appointee requests otherwise, the SCDOR must post the results of all inquiries from candidates or appointees in a prominent location on the SCDOR website.	Yes	Taxpayers	Yes - Other service or product
26.9	109.7	State	Proviso	(SCDOR: Fraudulent Tax Return Program) SCDOR may establish a Fraudulent Tax Return Detection Program to prevent payment of fraudulent tax refunds. To implement the program the department may contract with information and technology entities to provide the necessary detection capabilities. SCDOR shall pay for the program from the savings realized by implementation.	Yes	Taxpayers	Yes - Other service or product
26.10	109.8	State	Proviso	(SCDOR: Treasury Offset Program) SCDOR is authorized to retain up to one hundred forty thousand dollars of mailing and associated administrative costs incurred as a result of the State's participation in and the notice requirements of the Federal Treasury Offset Program. Retained expenses shall be from tax offset revenue received from the federal government. Remaining revenue shall be deposited in the General Fund	No		No
26.11	109.9	State	Proviso	(SCDOR: May Events) SCDOR shall remit Accommodation tax funds to Horry County for special purposes upon request	Yes	Local Government	Yes - Other service or product

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Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Customer/Client		Deliverable
					Does this law specify who (customer) the agency must or may serve? (Y/N)	If yes, who is/are the customer(s)?	
26.12	109.10	State	Proviso	(SCDOR: Educational Credit for Exceptional Needs Children) The board and SCDOR Director will appoint an executive director. SCDOR will support the board and will administer donor tax credits. SCDOR is required to complete the mandated reports regarding Exceptional SC. (GP: Joint Children's Committee) For the current fiscal year, SCDOR is directed to reduce the rate of interest paid on eligible refunds by one percentage point. Of the revenue resulting from this reduction, three hundred thousand dollars shall be transferred to the Senate for the Joint Citizens and Legislative Committee on Children. The remaining revenue resulting from this reduction shall be transferred to the Department of Juvenile Justice (DJJ).	Yes	Exceptional SC	Yes - Other service or product
26.13	117.86	State	Proviso	to reduce the rate of interest paid on eligible refunds by one percentage point. Of the revenue resulting from this reduction, three hundred thousand dollars shall be transferred to the Senate for the Joint Citizens and Legislative Committee on Children. The remaining revenue resulting from this reduction shall be transferred to the Department of Juvenile Justice (DJJ).	Yes	Senate for Joint Citizens and Legislative Committee on Children and the Department of Juvenile Justice (DJJ).	Yes - Other service or product
26.14	118. 10(c)	State	Proviso	(SR: Tax Deduction for Consumer Protection Services) (C) By March fifteenth of each year, SCDOR shall issue a report to the Governor and the General Assembly detailing the number of taxpayers claiming the deduction allowed by this item in the most recent tax year for which there is an accurate figure, and the total monetary value of the deductions claimed pursuant to this item in that same year. (D) SCDOR shall prescribe the necessary forms to claim the deduction allowed by this section. SCDOR may require the taxpayer to provide proof of the actual costs and the taxpayer's eligibility.	Yes	Governor and General Assembly	Yes - Providing report
26.15	118. 10(d)	State	Proviso	(SR: Tax Deduction for Consumer Protection Services) (D) SCDOR shall prescribe the necessary forms to claim the deduction allowed by this section. SCDOR may require the taxpayer to provide proof of the actual costs and the taxpayer's eligibility.	Yes	Taxpayers	Yes - Providing report

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Deliverables
(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding		Department of Revenue										
Date of Submission		5/31/2018										
Item #	Deliverable	Applicable Laws	Is deliverable provided because...	Optional - Service or Product component(s) (If deliverable is too broad to complete the remaining columns, list each product/service associated with the deliverable, and complete the remaining columns)	Associated Organizational Unit	Does the agency evaluate the outcome obtained by customers / individuals who receive the service or product (on an individual or aggregate basis?)	Does the agency know the annual # of potential customers?	Does the agency know the annual # of customers served?	Does the agency evaluate customer satisfaction?	Does the agency know the cost it incurs, per unit, to provide the service or product?	Does the law allow the agency to charge for the service or product?	Additional comments from agency (Optional)
1	Administer a License or Issue a Certificate to Operate a Place of Business or Sell a Specific Product		Require	See details below	I. Administrative and Program Support II.A Support Services II. B Revenue and Regulatory II.C Legal, Policy and Legislation	Yes	Yes	Yes	Yes	Yes	Yes	Please refer to the Fines and Fees Report for a summary of charges for services and products.
2	License/ Certificate	12-21-670	Require		SCDOR shall issue a license for sale of tobacco products upon receipt of application and SCDOR shall produce forms for this purpose.							
3	License/ Certificate	12-21-2450	Require		SCDOR shall issue licenses to operate a place of amusement upon receipt of application.							
4	License/ Certificate	12-21-3940(A)(1)	Require		SCDOR will make the determination if an organization is qualified to hold a bingo license.							
5	License/ Certificate	12-21-3950(B)	Require		SCDOR has forty-five days to approve or reject a bingo application based on the requirements.							
6	License/ Certificate	12-21-4000(12)(b)	Require		Excess proceeds tax must be remitted to SCDOR. If promoter or organization fail to remit, SCDOR shall suspend both licenses.							
7	License/ Certificate	12-21-4240	Require		SCDOR will license all organizations, promoters, manufacturers and distributors of bingo paper. SCDOR is required to collect annual license fee of five thousand dollars for manufacturers and two thousand dollars for distributors.							
8	License/ Certificate	12-21-4270	Require		Each licensee may obtain cards approved by SCDOR by making application and remitting sixteen and one-half percent of the total face value of the cards purchased. Upon receipt of tax paid SCDOR shall notify a licensed distributor to release the face value of cards requested. SCDOR is required to set forth procedures to ensure cross-checking between manufacturers and distributors and organizations.							
9	License/ Certificate	12-36-540	Require		SCDOR shall issue a separate license for each retail sales location.							
10	License/ Certificate	44-56-440 (C)	Require		SCDOR must issue a drycleaner's certificate of registration.							
11	License/ Certificate	61-2-20	Require		SCDOR is vested with the power to administer Title 61.							
12	License/ Certificate	61-2-70	Require		SCDOR shall issue all licenses, permits and certificates provided for in this title.							
13	License/ Certificate	61-2-80	Require		SCDOR is empowered to regulate the operation of all retail locations authorized to sell beer, wine or alcoholic liquor. SCDOR is authorized to establish conditions or restrictions on issuing or renewing a license or permit.							
14	License/ Certificate	61-2-100 (B)	Require		SCDOR shall initiate action to revoke any permit or license that is issued to any person who is not the owner or when the licensed individual or an individual principal is under twenty-one years of age.							
15	License/ Certificate	61-2-136	Require		SCDOR shall transfer the permit of a currently licensed beer and wine wholesaler or currently licensed alcoholic liquor wholesaler upon notice in writing of the new location.							
16	License/ Certificate	61-2-145(B)	Require		SCDOR must require all applications for biennial permits to sell alcohol for on premise consumption to include the requirement to maintain a liquor liability insurance policy.							
17	License/ Certificate	61-2-145(C)	Require		SCDOR must prescribe the manner permittees should notify SCDOR of the status of the insurance policy.							
18	License/ Certificate	61-2-160	Require		SCDOR shall notify an applicant of a license or permit under Title 61 of the necessary requirements to comply if SCDOR determines that delinquent taxes, penalties, or interest are due.							
19	License/ Certificate	61-2-185 (B)	Require		SCDOR must promulgate the application process for nonprofit organizations. SCDOR must deny any application that does not contain the information required.							
20	License/ Certificate	61-4-310(A)	Require		SCDOR must prescribe forms for a certificate of registration.							
21	License/ Certificate	61-4-310 (B)	Require		SCDOR in its discretion must issue or reject the application for a certificate of registration.							
22	License/ Certificate	61-4-520(7)(a)	Require		SCDOR shall determine which newspapers meet the requirements of a newspaper most likely to serve notice to interested citizens in the case of application to sell beer or wine.							
23	License/ Certificate	61-4-525 (C)	Require		SCDOR shall continue to process an application and issue the permit to sell beer or wine if a protestant has no desire to attend a hearing.							
24	License/ Certificate	61-4-1515(A)(9)	Require		SCDOR must maintain Brewery Insurance information.							
25	License/ Certificate	61-4-1515(C)	Require		SCDOR must terminate a brewery permit and license if the brewery operations cease.							
26	License/ Certificate	61-4-1515(F)	Require		SCDOR must waive newspaper notice and sign posting requirements for breweries applying for a brewery permit.							
27	License/ Certificate	61-4-1515 (G)	Require		Breweries who have subsequent violations within a three year period must have their permit suspended by SCDOR for not less than thirty days. Revenue generated from violation fines must be transferred to State Law Enforcement Division (SLED).							
28	License/ Certificate	61-4-1920 (B)	Require		SCDOR shall prescribe the forms and ID tags for beer kegs provided to retail licensees.							
29	License/ Certificate	61-6-100	Require		SCDOR has the exclusive power to suspend and revoke all licenses.							
30	License/ Certificate	61-6-120	Require		SCDOR shall not issue a license to any place of business not meeting the proximity requirements to a school, church or playground.							
31	License/ Certificate	61-6-180(A)	Require		SCDOR must determine which newspapers meet the advertising requirements.							
32	License/ Certificate	61-6-185(B)	Require		SCDOR shall determine a protestant's intent to attend a contested case hearing before the Administrative Law Court.							
33	License/ Certificate	61-6-185 (C)	Require		SCDOR shall continue to process the application if protestant has no desire to attend contested case hearing.							
34	License/ Certificate	61-6-190	Require		SCDOR shall not issue any license until the applicant has paid the license tax.							
35	License/ Certificate	61-6-195	Require		SCDOR shall not issue or renew a license until the applicant certifies that no alcoholic liquors were purchased from a person who does not hold a wholesaler's license.							
36	License/ Certificate	61-6-700	Require		SCDOR must provide the form and conditions for the licensing of establishments using alcoholic beverages in the preparation of food. A person violating this provision must be fined five hundred dollars and other licenses held must be revoked.							

The contents of this chart are considered sworn testimony from the Agency Director.

DOR-1812

Agency Responding	Department of Revenue
Date of Submission	5/31/2018

Deliverables
(Study Step 1: Agency Legal Directives, Plan and Resources)

Item #	Deliverable	Applicable Laws	Is deliverable provided because...	Optional - Service or Product component(s) (If deliverable is too broad to complete the remaining columns, list each product/service associated with the deliverable, and complete the remaining columns)	Does the agency know the annual # of potential customers?	Does the agency know the annual # of customers served?	Does the agency know the cost it incurs, per unit, to provide the service or product?	Does the law allow the agency to charge for the service or product?	Additional comments from agency (Optional)
37	License/Certificate	61-6-720	Require	SCDOR must establish the form of the application for the special baking food manufacturer's license. SCDOR must revoke this license of any operator permitting the consumption of alcoholic liquor as a beverage.					
38	License/Certificate	61-6-900	Require	SCDOR must refund any portion of a license not used to a personal representative if the business is not continued after a licensee's death.					
39	License/Certificate	61-6-910	Require	SCDOR must refuse to issue any license to an applicant not a suitable person, business is not suitable or a sufficient number of licenses have already been issued.					
40	License/Certificate	61-6-930	Require	SCDOR must revoke the license of a wholesaler, if there is a direct or indirect interest in a retail store by the wholesaler.					
41	License/Certificate	61-6-940	Require	SCDOR must revoke a retail license to sell alcoholic liquors if the licensee is indebted to a wholesaler except for current purchases not past due.					
42	License/Certificate	61-6-1530(1)	Require	SCDOR must prescribe the size and location of the sign prohibiting the possession of alcohol by a person under twenty-one.					
43	License/Certificate	61-6-1530(2)	Require	SCDOR must prescribe the size and location of the sign related to the restrictions of transporting of alcohol.					
44	License/Certificate	61-6-1530(3)	Require	SCDOR must prescribe the size and location of the sign related to the unlawful purchase of alcoholic liquors by one retail dealer from another dealer.					
45	License/Certificate	61-6-1610(H)	Require	SCDOR shall suspend the license of an establishment not meeting the Grade A level after thirty day notice.					
46	License/Certificate	61-6-1810(A)	Require	SCDOR has exclusive authority in issuing, renewing, suspending or revoking licenses.					
47	License/Certificate	61-6-1820(A)	Require	SCDOR shall determine which newspapers meet the advertising requirement.					
48	License/Certificate	61-6-1820(B)	Require	SCDOR must not issue a permanent license until interested parties have been given opportunity to be heard.					
49	License/Certificate	61-6-1825(B)	Require	SCDOR must determine a protestant's intent to attend a contested case hearing. If the protestant intends to attend the hearing, SCDOR must not issue the license but must forward the file to the Administrative Law Court.					
50	License/Certificate	61-6-1825 (C)	Require	SCDOR must continue the application process if the protestant is not attending the contested case hearing.					
51	License/Certificate	61-6-2000(A)	Require	SCDOR shall charge a nonrefundable fee of thirty-five dollars for temporary permits.					
52	License/Certificate	61-6-2000(B)	Require	SCDOR shall require the applicant to obtain a criminal background check within ninety days of an application for a temporary permit. SCDOR shall deny the application if the criminal background check is not submitted or obtained more than ninety days prior to the application.					
53	License/Certificate	61-6-2000 (C)	Require	SCDOR shall require an applicant to complete the law enforcement notification. The law enforcement notification shall be prepared by SCDOR for inclusion in the application.					
54	License/Certificate	61-6-2360	Require	SCDOR shall promulgate regulations to implement the regulation of alcoholic liquors.					
55	License/Certificate	61-6-2610	Require	SCDOR shall impose a penalty of twenty dollars per container of alcoholic liquors in possession of a person, corporation or organization in violation of any provision of the ABC Act.					
56	License/Certificate	61-6-2840	Require	SCDOR must prescribe the forms for a certificate of registration for the shipment of alcoholic liquors by a producer to a point within this state.					
57	License/Certificate	61-6-2850	Require	SCDOR must develop forms for a certificate of registration for each brand of alcoholic liquors intended to be shipped to a point within this state.					
58	License/Certificate	61-6-2870	Require	SCDOR must provide appropriate forms for application for a certificate of registration as a producer representative.					
59	License/Certificate	61-6-2890(A)	Require	SCDOR shall prescribe forms for a license to operate as a warehouse.					
60	License/Certificate	61-6-2900	Require	SCDOR shall prescribe forms for a food manufacturer or producer representative to ship alcoholic liquors.					
61	License/Certificate	Regulation - 112-1200.3	Require	SCDOR must prescribe forms for the reporting of the number of cases of alcoholic liquors sold during the preceding month.					
62	License/Certificate	Regulation -112-1250.1	Require	SCDOR must prescribe forms for the reporting by wholesale beer and wine dealers of purchases or exchange of their products with other wholesale dealers.					
63	Administer, Inforce, and/or Collect Taxes and Fees		Require	See details below I. Administrative and Program Support II. A Support Services II. B Revenue and Regulatory III. C Legal, Policy and Legislation	Yes	Yes	Yes	Yes	Please refer to the Fines and Fees Report for a summary of charges for services and products.
64	Taxes/ Fees	4-10-90(A)	Require	SCDOR shall administer and collect the local sales and use tax in the manner that statewide sales and use taxes are collected and administered. (Local Option Sales Tax)					
65	Taxes/ Fees	4-10-350(A)	Require	SCDOR must administer and collect the Capital Project Sales Tax in the same manner that other sales and use taxes are collected.					
66	Taxes/ Fees	4-10-360	Require	SCDOR shall deposit with the State Treasurer all collections to be credited to a separate account.					
67	Taxes/ Fees	4-10-580(A)	Require	SCDOR must administer and collect local sales tax in the same manner that other sales taxes are collected.					
68	Taxes/ Fees	4-10-770	Require	SCDOR must administer and collect the local option sales and use tax for local property tax credits, if imposed by a county, in the same manner that other sales and use taxes are collected.					
69	Taxes/ Fees	4-10-940 (B)	Require	SCDOR must administer and collect the Tourism Development Fee in the same manner as the Sales and Use Tax.					
70	Taxes/ Fees	4-12-30(B)(3)	Require	SCDOR shall designate by December thirty first of each year the counties qualifying for the reduced fee-in-lieu threshold requirement.					
71	Taxes/ Fees	4-12-30 (O)(8)	Require	SCDOR shall develop applicable forms and procedures for handling and processing extension requests.					
72	Taxes/ Fees	4-37-30 (A)(8)	Require	The Local Option Transportation tax levied pursuant to this section must be administered and collected by SCDOR in the same manner that other sales and use taxes are collected.					
73	Taxes/ Fees	11-44-70 (A)	Require	SCDOR shall provide for the manner in which the angel investor application is to be submitted and shall review the application upon determining that it meets the requirements of this chapter.					

The contents of this chart are considered sworn testimony from the Agency Director.

Deliverables
(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding Date of Submission	Department of Revenue 5/31/2018	
Item #	Deliverable	Applicable Laws
	Is deliverable provided because... A) Specifically REQUIRED by law (must or shall); B) Specifically ALLOWED by law (may); or C) Not specifically mentioned in law, but PROVIDED TO ACHIEVE the requirements of the applicable law	
74	Taxes/ Fees	11-44-70 (B)
75	Taxes/ Fees	11-44-70 (C)
76	Taxes/ Fees	12-4-10
77	Taxes/ Fees	12-4-310(2)
78	Taxes/ Fees	12-6-20
79	Taxes/ Fees	12-6-1140(10)(d)
80	Taxes/ Fees	12-6-3360 (B)
81	Taxes/ Fees	12-6-3360 (I)
82	Taxes/ Fees	12-6-3360 (I)
83	Taxes/ Fees	12-6-3367 (D)
84	Taxes/ Fees	12-6-3375 (B)(2)
85	Taxes/ Fees	12-6-3381
86	Taxes/ Fees	12-6-3588
87	Taxes/ Fees	12-6-3622 (B)
88	Taxes/ Fees	12-6-3780(A)(1)
89	Taxes/ Fees	12-6-3910 (A)
90	Taxes/ Fees	12-6-5060 (b)
91	Taxes/ Fees	12-6-5590(E)
92	Taxes/ Fees	12-8-520 (A)
93	Taxes/ Fees	12-8-590 (A)
94	Taxes/ Fees	12-8-1530 (A)
95	Taxes/ Fees	12-10-82
96	Taxes/ Fees	12-21-735 (E)
97	Taxes/ Fees	12-21-735 (E 1/2)
98	Taxes/ Fees	12-21-735 (E 1/6)
99	Taxes/ Fees	12-21-735 (H12)
100	Taxes/ Fees	12-21-1050
101	Taxes/ Fees	12-21-1060
102	Taxes/ Fees	12-21-2742
103	Taxes/ Fees	12-21-2744
104	Taxes/ Fees	12-21-3940 (A)
105	Taxes/ Fees	12-21-4220
106	Taxes/ Fees	12-21-4230
107	Taxes/ Fees	12-23-40
108	Taxes/ Fees	12-23-815
109	Taxes/ Fees	12-23-820
110	Taxes/ Fees	12-28-970 (A)
111	Taxes/ Fees	12-28-995
112	Taxes/ Fees	12-28-1730(F)

Deliverables
(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding	Department of Revenue										
Date of Submission	5/31/2018										
Item #	Deliverable	Applicable Laws	Is deliverable provided because...	Optional - Service or Product component(s) (If deliverable is too broad to complete the remaining columns, list each product/service associated with the deliverable, and complete the remaining columns)	Associated Organizational Unit	Does the agency evaluate the outcome obtained by customers / individuals who receive the service or product (on an individual or aggregate basis?)	Does the agency know the annual # of potential customers?	Does the agency know the annual # of customers served?	Does the agency know the cost it incurs, per unit, to provide the service or product?	Does the law allow the agency to charge for the service or product?	Additional comments from agency (Optional)
			A) Specifically REQUIRED by law (must or shall); B) Specifically ALLOWED by law (may); or C) Not specifically mentioned in law, but PROVIDED TO ACHIEVE the requirements of the applicable law								
113	Taxes/ Fees	12-33-480	Require	SCDOR shall prescribe a form for the payment of taxes and must also assess and collect tax from licensed alcohol wholesalers in same manner as other taxes.							
114	Taxes/ Fees	12-36-510(B)(3)	Require	SCDOR must prescribe a form for payment of accommodations tax.							
115	Taxes/ Fees	12-36-1320	Require	Requires SCDOR to determine the useful life of transient construction property in order for use tax on transient construction property to be calculated.							
116	Taxes/ Fees	12-36-2120(57)	Require	SCDOR shall publish a yearly list of articles which qualify for the August sales tax holiday.							
117	Taxes/ Fees	12-36-2120(65)(d)	Require	SCDOR shall issue an exemption certificate to the qualifying taxpayer for a sales tax exemption for computer equipment for a technology intensive facility.							
118	Taxes/ Fees	12-36-2120(78)	Require	SCDOR shall issue an appropriate exemption certificate to an organization which researches and tests natural hazards per the statute.							
119	Taxes/ Fees	12-36-2660	Require	SCDOR shall administer and enforce the provisions of Chapter 36, Title 12.							
120	Taxes/ Fees	12-36-2680	Require	SCDOR shall prescribe an exemption certificate for persons making exempt agricultural purchases.							
121	Taxes/ Fees	12-37-250(A)(4)	Require	SCDOR must approve forms for the homestead exemption. SCDOR shall direct the auditor to notify municipalities of all applications for the homestead exemption within the municipality and the information necessary to calculate the amount of the exemption.							
122	Taxes/ Fees	12-37-250(G)	Require	SCDOR shall develop advisory opinions as may be necessary to carry out the homestead exemption provisions.							
123	Taxes/ Fees	12-37-255(C)	Require	SCDOR must withhold from the next disbursement of state funds to a county or municipality the amount of tax and penalties related to improperly granted homestead exemptions.							
124	Taxes/ Fees	12-37-266(A)	Require	SCDOR must approve forms used by a trustee who holds legal title to a dwelling in order to apply for a homestead exemption.							
125	Taxes/ Fees	12-37-266(B)	Require	SCDOR shall reimburse the taxing entity for the taxes not collected by reason of the homestead exemption.							
126	Taxes/ Fees	12-37-270(A)	Require	SCDOR from the Trust Fund for Tax Relief shall annually pay to the county or municipality in which a dwelling is located a sum equal to the taxes not collected because of the homestead exemption.							
127	Taxes/ Fees	12-37-270(B)	Require	SCDOR shall purchase and distribute the applications for the homestead exemption and the costs must be paid from the trust fund.							
128	Taxes/ Fees	12-37-735 (B)	Require	SCDOR must design a form in which a transferor assumes personal liability for his share of the taxes when property is transferred.							
129	Taxes/ Fees	12-37-1610	Require	SCDOR shall prescribe a form for property filings of railroads.							
130	Taxes/ Fees	12-37-2120	Require	SCDOR prescribes form on which railroads pay property taxes.							
131	Taxes/ Fees	12-54-25(C)(1)	Require	SCDOR must determine amount of interest on refunds.							
132	Taxes/ Fees	12-54-250(F)(2)	Require	SCDOR shall include a notice detailing electronic filing requirements for tax return preparers filing one hundred or more returns in its form instructions and in the forms area of its website.							
133	Taxes/ Fees	12-60-410	Require	SCDOR shall assess all state taxes, interest, additions to taxes, and penalties. Also, SCDOR shall furnish a copy of an assessment to the taxpayer upon request.							
134	Taxes/ Fees	12-60-1330 (A)(3)	Require	SCDOR shall deny, suspend, cancel, or revoke the license if a person fails to file a protest with SCDOR within ninety days.							
135	Taxes/ Fees	12-60-2150 (F)	Require	SCDOR shall consider any claim, determine the correct property tax assessment and issue any necessary orders. All appeals before SCDOR must be conducted as provided in Section 12-60-450 (C) through (E).							
136	Taxes/ Fees	12-62-40(C)(3)	Require	SCDOR shall issue a sales tax exemption certificate once an application for motion picture incentives is approved by the Secretary of Commerce.							
137	Taxes/ Fees	16-17-503(A)	Require	SCDOR Director shall provide for the enforcement of 16-17-500 and 16-17-502 dealing with unlawful use of cigarettes and alternative nicotine products and shall conduct random, unannounced inspections of locations to determine compliance. SCDOR shall designate an enforcement officer to conduct annual inspections.							
138	Taxes/ Fees	23-47-50(F)	Require	SCDOR requirement to provide form and collect 911 fees and deposit with State Treasurer.							
139	Taxes/ Fees	23-51-60 (G)	Require	Cigarettes seized by law enforcement or the State Fire Marshal under the Ignition Propensity Standards must be turned over to SCDOR and forfeited to the State.							
140	Taxes/ Fees	38-55-570(C)	Require	SCDOR shall report but not adjudicate all cases of suspected false statements to the Insurance Fraud Division of the Office of Attorney General.							
141	Taxes/ Fees	44-56-405	Require	SCDOR shall collect and enforce payment of surcharges and fees which constitute the Dry Cleaning Facility Restoration Trust Fund.							
142	Taxes/ Fees	44-56-420(A)	Require	SCDOR must collect and administer Drycleaning Facility Restoration Trust Fund.							
143	Taxes/ Fees	44-56-425	Require	Sets forth requirements for Drycleaning Exemption Certificate. SCDOR shall issue an updated dry cleaning facility exemption certificate to a new owner or operator upon request.							
144	Taxes/ Fees	44-56-435 (B)	Require	SCDOR must administer, collect, and enforce the surcharge and fees in the same manner as sales and use taxes, except no timely payment discount, or exemptions or exclusions are allowed.							
145	Taxes/ Fees	44-56-470(E)	Require	SCDOR shall review the application for eligibility and request any information within ninety days. SCDOR shall notify the applicant within one hundred eighty days the eligibility status.							
146	Taxes/ Fees	44-56-495(D)	Require	An employee of SCDOR shall attend meetings of the Dry Cleaning Advisory Council to provide the council informal assistance as to matters involving the surcharges and fees that are imposed by this act and administered and collected by SCDOR.							
147	Taxes/ Fees	44-96-160(W)(1)	Require	SCDOR shall administer, collect and enforce the motor oil fee in the same manner as sales and use taxes.							
148	Taxes/ Fees	44-96-160(V)	Require	SCDOR shall promulgate regulations necessary to implement the provisions.							
149	Taxes/ Fees	44-96-170(N)	Require	SCDOR shall administer, collect and enforce waste tire disposal fee in the same manner as sales and use tax. SCDOR shall remit fees collected to the State Treasurer.							
150	Taxes/ Fees	44-96-170(O)	Require	SCDOR must provide requirements for verification of refunds on fees for tires.							
151	Taxes/ Fees	44-96-180(F)	Require	SCDOR shall administer, collect and enforce lead acid battery fee in the same manner as sales and use tax. SCDOR shall remit fees to the State Treasurer.							
152	Taxes/ Fees	44-96-200 (E)	Require	SCDOR shall administer, collect and enforce white good disposal fee in the same manner as sales and use tax. SCDOR shall remit fees to the State Treasurer.							
153	Taxes/ Fees	48-30-50(1)	Require	SCDOR shall develop administrative procedures to collect the assessment from primary forest product processors, deposit funds collected from the assessment and audit records to determine compliance.							
154	Taxes/ Fees	48-30-80	Require	SCDOR shall enforce collection of the primary forest product assessment.							
155	Taxes/ Fees	58-25-80	Require	SCDOR is responsible for promulgating regulations for exemptions by nonprofits who are regional transportation authorities.							

The contents of this chart are considered sworn testimony from the Director.

Deliverables
(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding	Department of Revenue										
Date of Submission	5/31/2018										
Item #	Deliverable	Applicable Laws	Is deliverable provided because...	Optional - Service or Product component(s) (If deliverable is too broad to complete the remaining columns, list each product/service associated with the deliverable, and complete the remaining columns)	Associated Organizational Unit	Does the agency know the annual # of potential customers?	Does the agency know the annual # of customers served?	Does the agency know the annual # evaluate customer satisfaction?	Does the agency know the cost it incurs, per unit, to provide the service or product?	Does the law allow the agency to charge for the service or product?	Additional comments from agency (Optional)
			A) Specifically REQUIRED by law (must or shall); B) Specifically ALLOWED by law (may); or C) Not specifically mentioned in law, but PROVIDED TO ACHIEVE the requirements of the applicable law								
156	Taxes/ Fees	61-6-4310	Require	Alcoholic liquors seized by SCDOR must be sold at public auction.							
157	Taxes/ Fees	Section 6, Act No. 132 of 1997	Require	The sales and use tax levied pursuant to this act must be administered and collected by SCDOR in the same manner that other sales and use taxes are collected.							
158	Taxes/ Fees	Section 1(f), Act No. 146 of 1997	Require	The tax levied pursuant to this section must be administered and collected by SCDOR in the same manner that other sales and use taxes are collected.							
159	Taxes/ Fees	Section 6, Act No. 378 of 1997	Require	The tax levied pursuant to this act must be administered and collected by SCDOR in the same manner that other sales and use taxes are collected.							
160	Taxes/ Fees	Regulation -117.200.2	Require	If a taxpayer converts machine sensible records, including copies of files to a standard record format, SCDOR is responsible for developing the format.							
161	Taxes/ Fees	Regulation -117.850.1	Require	SCDOR must publish standards for the completion of income tax returns. Reproduced or computer prepared forms must conform to the standards issued by the forms management section of SCDOR.							
162	Taxes/ Fees	Regulation -117.850.2	Require	SCDOR must publish standards for the specifications for using non paper methods.							
163	Taxes/ Fees	Regulation -117.875	Require	SCDOR must determine voluntary contributions to check offs at least annually.							
164	Taxes/ Fees	Regulation -117.1600.1	Require	SCDOR must prescribe forms for reporting of sales of cigarettes.							
165	Taxes/ Fees	Regulation -117.1600.2	Require	SCDOR shall develop and order forms for cigarette stamps.							
166	Taxes/ Fees	Regulation -117.1600.2(d)	Require	SCDOR shall develop forms for purchase of exempt stamps.							
167	Taxes/ Fees	Regulation -117	Require	SCDOR shall develop procedures related to tamper-evident features of stamps.							
168	Taxes/ Fees	Regulation -117-1600.3(6)	Require	SCDOR shall develop forms and processes for authorizing refunds.							
169	Taxes/ Fees	Regulation -117-1600.5(B)	Require	SCDOR must develop and advise of storage requirements. SCDOR must approve staging areas.							
170	Taxes/ Fees	Regulation -117.1720.2(A)	Require	SCDOR shall annually make a ratio study of all the counties in the State to determine level of appraisal as provided in Section 12-43-250.							
171	Taxes/ Fees	Regulation -117.1740.1	Require	SCDOR directs what information must be contained in a building permit.							
172	Taxes/ Fees	109.7	Require	(SCDOR: Fraudulent Tax Return Program) SCDOR may establish a Fraudulent Tax Return Detection Program to prevent payment of fraudulent tax refunds. To implement the program the department may contract with information and technology entities to provide the necessary detection capabilities. SCDOR shall pay for the program from the savings realized by implementation.							
173	Taxes/ Fees	118. 10(d)	Require	(SR: Tax Deduction for Consumer Protection Services)							
174	Protecting Taxpayers Rights		Require	See details below I. Administrative and Program Support II. A Support Services II. B Revenue and Regulatory II. C Legal, Policy and Legislation	Yes	Yes	Yes	Yes	Yes	Yes	Please refer to the Fines and Fees Report in for a summary of charges for services and products.
175	Taxpayer Services	12-58-30	Require	SCDOR shall establish the position of the taxpayer advocate. The taxpayer advocate is responsible for facilitating resolution of taxpayer's complaints and problems.							
176	Taxpayer Services	12-58-40	Require	SCDOR shall develop and implement a taxpayer education and information program.							
177	Taxpayer Services	12-58-80	Require	SCDOR must develop and implement a program to evaluate employee's performance with respect to contact with taxpayers. The program must be coordinated with the Taxpayers' Rights Advocate.							
178	Taxpayer Services	12-58-120	Require	Provides guidelines where, under certain circumstances, SCDOR shall release any levy issued.							
179	Taxpayer Services	12-58-150	Require	SCDOR shall provide an administrative appeal procedure for releasing liens.							
180	Taxpayer Services	12-58-160(A)	Require	Requires action from SCDOR upon discovery of a lien that was filed in error.							
181	Taxpayer Services	12-58-160(B)	Require	When SCDOR releases a lien erroneously filed, notice must be mailed to the taxpayer and a copy of the release forwarded to the major credit reporting companies upon taxpayer request.							
182	Taxpayer Services	12-58-165	Require	If the department determines that no taxes were due, the recorded lien shall be expunged as if it were fully paid and satisfied.							
183	Taxpayer Services	12-60-1340	Require	If SCDOR determines that public health, safety or welfare requires emergency action it shall seek an emergency revocation order from the Administrative Law Court.							
184	Assist Local Governments Related to Property Taxes		Require	See details below I. Administrative and Program Support II. A Support Services II. B Revenue and Regulatory II. C Legal, Policy and Legislation	Yes	Yes	Yes	Yes	Yes	Yes	Please refer to the Fines and Fees Report in for a summary of charges for services and products.
185	Property Tax Services and Reports	4-12-30(D)(2)(a)(i)	Require	In certain special instances, SCDOR must determine the value of property subject to the fee-in-lieu of taxes.							
186	Property Tax Services and Reports	4-29-67(D)(2)(a)(iii)	Require	SCDOR must determine a fair market value estimate of the value of the property using the procedure in the statute and must determine the value of real property subject to the fee under certain conditions. In certain special instances.							
187	Property Tax Services and Reports	4-29-67 (5)(7)	Require	SCDOR shall develop applicable forms and procedures for handling and processing fee-in-lieu extension requests.							

The contents of this chart are considered sworn testimony from the Agency Director.

DOR-1816

Deliverables
(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding	Department of Revenue
Date of Submission	5/31/2018

Item #	Deliverable	Applicable Laws	Is deliverable provided because...	Optional - Service or Product component(s) (If deliverable is too broad to complete the remaining columns, list each product/service associated with the deliverable, and complete the remaining columns)	Associated Organizational Unit	Does the agency know the annual # of potential customers?	Does the agency know the annual # of customers served?	Does the agency evaluate customer satisfaction?	Does the agency know the cost it incurs, per unit, to provide the service or product?	Does the law allow the agency to charge for the service or product?	Additional comments from agency (Optional)
188	Property Tax Services and Reports	6-1-85 (A)	Require		SCDOR shall provide assessed values and fair market values of properties collected in accordance with 59-20-20 to the Office of Research and Statistics of the Revenue and Fiscal Affairs Office.						
189	Property Tax Services and Reports	12-4-510(2)	Require		In order to administer effectively the equitable assessment of property for taxation, SCDOR shall make the levy upon the assessed value of property subject to tax necessary to raise the annual appropriations made by the General Assembly as it relates to private carlines and flight equipment.						
190	Property Tax Services and Reports	12-4-520(1)	Require		SCDOR shall call meetings of all county assessors, to provide instruction as to the law governing the assessment and taxation of all classes of property. SCDOR shall formulate and prescribe rules to govern assessors and county boards of tax appeals in the discharge of their duties.						
191	Property Tax Services and Reports	12-4-520(2)	Require		SCDOR shall confer with, advise, and direct assessors and county boards of tax appeals as to their duties.						
192	Property Tax Services and Reports	12-4-520(5)	Require		SCDOR shall require county auditors to place upon the assessment rolls omitted property that may have escaped taxation in the current or previous years.						
193	Property Tax Services and Reports	12-4-540(A)	Require		SCDOR has sole responsibility for the appraisal, assessment, and equalization of the taxable values of corporate headquarters, corporate office facilities, and distribution facilities and of the real and personal property owned by or leased by manufacturing, railway, private airline, water, heat, light and power, telephone, cable television, sewer, pipeline, and mining businesses in the conduct of their business. SCDOR has sole						
194	Property Tax Services and Reports	12-4-540(D)	Require		SCDOR shall assess all real and personal property, leased or used, to the owner, except as otherwise provided.						
195	Property Tax Services and Reports	12-4-550(1)	Require		SCDOR shall require municipal, county, and other public officers to report information as to the assessment of property, collection of taxes, receipts from licenses and other sources, and information necessary in the work of SCDOR.						
196	Property Tax Services and Reports	12-4-550(2)	Require		SCDOR shall require all persons to furnish information concerning their capital, bonded or other debts, current assets and liabilities, value of property, earnings, operating and other expenses, taxes, and other facts necessary for SCDOR to ascertain the value and relative tax burden borne by all kinds of property.						
197	Property Tax Services and Reports	12-4-560	Require		SCDOR shall prepare appropriate manuals, guides, and other aids for the equitable assessment of all properties and prepare suitable forms for an adequate listing and description of property by groups and classes.						
198	Property Tax Services and Reports	12-4-710	Require		SCDOR shall determine if any property qualifies for exemption from local property taxes under Section 12-37-220, except for the exemption provided by 12-37-220(A)(9) in accordance with the Constitution and general laws. This determination must be made on an annual basis and the appropriate county official advised by SCDOR by June first of each year.						
199	Property Tax Services and Reports	12-4-730	Require		SCDOR shall certify a property tax exemption on real and personal property to the auditor's office in the county for those approved.						
200	Property Tax Services and Reports	12-37-970	Require		SCDOR determines assessment of merchants' property and other business personal property and must supply these assessments to the counties.						
201	Property Tax Services and Reports	12-37-1680	Require		SCDOR shall proceed to ascertain value of railroads when railroad companies refuse to file.						
202	Property Tax Services and Reports	12-37-2000	Require		SCDOR shall examine statements filed by telegraph and telephone companies.						
203	Property Tax Services and Reports	12-37-2130	Require		SCDOR shall annually assess the valuation of all private cars of each private car company.						
204	Property Tax Services and Reports	12-37-2140	Require		SCDOR must determine valuation of carlines.						
205	Property Tax Services and Reports	12-37-2150	Require		SCDOR shall levy against carlines and determine average levy for all purposes in state.						
206	Property Tax Services and Reports	12-37-2430	Require		SCDOR shall annually assess, adjust, equalize and apportion the valuation of all aircraft in this State.						
207	Property Tax Services and Reports	12-37-2450	Require		SCDOR shall annually levy tax against the value of aircraft so determined and collect the tax.						
208	Property Tax Services and Reports	12-37-2680	Require		SCDOR must provide motor vehicle guides to counties.						
209	Property Tax Services and Reports	12-37-3150(A)(8)	Require		SCDOR shall provide the form used to notify the tax assessor after a conveyance of an ownership interest that constitutes an assessable transfer of interest.						
210	Property Tax Services and Reports	12-37-3160(A)	Require		SCDOR shall examine the substance rather than merely the form of the transfer in determining whether an assessable transfer of interest has occurred.						

The contents of this chart are considered sworn testimony from the Agency Director.
DOR 1817

Agency Responding	Department of Revenue
Date of Submission	5/31/2018

Deliverables
(Study Step 1: Agency Legal Directives, Plan and Resources)

Item #	Deliverable	Applicable Laws	Is deliverable provided because... (A) Specifically REQUIRED by law (must or shall); B) Specifically ALLOWED by law (may); or C) Not specifically mentioned in law, but PROVIDED TO ACHIEVE the requirements of the applicable law	Optional - Service or Product component(s) (If deliverable is too broad to complete the remaining columns, list each product/service associated with the deliverable, and complete the remaining columns)	Associated Organizational Unit	Does the agency evaluate the outcome obtained by customers / individuals who receive the service or product (on an individual or aggregate basis?)	Does the agency know the annual # of potential customers?	Does the agency know the annual # of customers served?	Does the agency know the annual # evaluate customer satisfaction?	Does the agency know the cost it incurs, per unit, to provide the service or product?	Does the law allow the agency to charge for the service or product?	Additional comments from agency (Optional)
211	Property Tax Services and Reports	12-37-316(b)	Require		SCDOR must prescribe the certificate that is contained with the property tax notice which certifies the details of the ownership of property.							
212	Property Tax Services and Reports	12-39-15(A)	Require		SCDOR must establish the content, cost and dates of continuing education courses that county auditors must complete.							
213	Property Tax Services and Reports	12-39-150	Require		SCDOR must prescribe the manner in which county auditors must list in a book all taxable property in the county and the value of it as equalized.							
214	Property Tax Services and Reports	12-39-180	Require		SCDOR must provide statements of the rates and sums to be levied for the current year to be used by county auditors. SCDOR shall prescribe the manner and form by which county auditors must list the property for taxation. SCDOR or the county auditor must place a minimum assessment of at least twenty dollars on all personal property that generates a tax bill.							
215	Property Tax Services and Reports	12-39-350	Require		When notified by the county auditor of property which is required by law to be assessed has been omitted, SCDOR shall appraise and assess the omitted personal property.							
216	Property Tax Services and Reports	12-43-220 (g)	Require		SCDOR must apply an equalization factor to real and personal property owned by or leased to transportation companies for hire as mandated by federal legislation.							
217	Property Tax Services and Reports	12-43-224(3)	Require		SCDOR must approve forms for discounted values which must be applied for subdivided lots with the local assessor.							
218	Property Tax Services and Reports	12-43-230(a)	Require		SCDOR shall provide by regulation a more detailed definition of agricultural real property consistent with the general definition set forth in this section which will be used by the county assessors.							
219	Property Tax Services and Reports	12-43-230 (d)(3)	Require		SCDOR must approve forms to be used for application of special valuation with the assessor for homeowners associations.							
220	Property Tax Services and Reports	12-43-300	Require		SCDOR shall prescribe a standard reassessment form designed to contain information required in Section 12-60-25.0(A)(1).							
221	Property Tax Services and Reports	12-44-50(A)(1)(i)	Require		In certain special instances, SCDOR must determine the value of property subject to the fee.							
222	Property Tax Services and Reports	12-44-90(H)	Require		SCDOR must develop forms and procedures for processing fee-in-lieu extension requests.							
223	Property Tax Services and Reports	12-45-15(A)	Require		SCDOR must establish the content, cost and dates of annual continuing education courses that county treasurers must complete.							
224	Property Tax Services and Reports	12-45-17	Require		SCDOR must establish the content, cost and dates of annual continuing education courses that county tax collectors must complete.							
225	Property Tax Services and Reports	12-45-70(A)	Require		SCDOR must direct and supervise the manner in which the county treasurer should collect taxes as prescribed by law.							
226	Property Tax Services and Reports	40-60-35 (A)(2)	Require		Assessors and other staff responsible for the assessment of property must receive seven hours of instructions each year. This instruction must be received from SCDOR or other providers or courses approved by the Department of Labor, Licensing and Regulation.							
227	Property Tax Services and Reports	Regulation - 117-1740.3	Require		SCDOR directs what information must be kept by counties in order to value property for property tax purposes.							
228	Property Tax Services and Reports	Regulation - 117-1740.4	Require		SCDOR must provide forms to all counties for the purpose of providing information for ratio studies. SCDOR must also approve the forms for submission of information in an electronic form.							
229	Property Tax Services and Reports	Regulation - 117-1840.2 (C)	Require		SCDOR is responsible for implementing the use value procedures for timberland and cropland.							
230	Assist the Catawba Indian Tribe with the Administration of Taxes		Require	See details below I. Administrative and Program Support II.A Support Services II.B Revenue and Regulatory II.C Legal, Policy and Legislation	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Please refer to the Fines and Fees Report in for a summary of charges for services and products.
231	Tribal Tax and Fee Services	27-16-110 (E)	Require		SCDOR has the authority to administer, and regulate all bingo games sponsored by the tribe. SCDOR has the authority to suspend or revoke the Tribe's bingo license. SCDOR shall notify the Tribe of violations and provide the Tribe with an opportunity to correct the violations before license may be revoked.							SCDOR shall notify the Tribe of violations and provide

The contents of this chart are considered sworn testimony from the Agency Director.

DOR-1818

Deliverables
(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding	Department of Revenue										
Date of Submission	5/31/2018										
Item #	Deliverable	Applicable Laws	Is deliverable provided because...	Optional - Service or Product component(s) (If deliverable is too broad to complete the remaining columns, list each product/service associated with the deliverable, and complete the remaining columns)	Associated Organizational Unit	Does the agency evaluate the outcome obtained by customers / individuals who receive the service or product (on an individual or aggregate basis?)	Does the agency know the annual # of potential customers?	Does the agency know the annual # of customers served?	Does the agency know the cost it incurs, per unit to provide the service or product?	Does the law allow the agency to charge for the service or product?	Additional comments from agency (Optional)
232	Tribal Tax and Fee Services	27-16-130(D)(4)	Require	A. Specifically REQUIRED by law (must or shall); B) Specifically ALLOWED by law (may); or C) Not specifically mentioned in law, but PROVIDED TO ACHIEVE the requirements of the applicable law		If the Tribe chooses to assess a tribal real property tax, SCDOR shall provide necessary assistance.					
233	Tribal Tax and Fee Services	27-16-130(F)(1)	Require			A political subdivision may certify the deficiency of payment of property taxes to the State and the State shall levy against other taxable property of the taxpayer in the State and remit the proceeds to the appropriate taxing authority.					
234	Tribal Tax and Fee Services	27-16-130(H)(3)(a)	Require			Requires SCDOR to administer and collect the tribal sales tax.					
235	Tribal Tax and Fee Services	27-16-130(H)(3)	Require			SCDOR must administer and collect the tribal sales tax and must separately account for the tribal sales tax.					
236	Tribal Tax and Fee Services	56-31-60(B)(1)	Require			SCDOR shall deposit the heavy equipment rental fee to the local jurisdiction where the qualified heavy equipment was rented.					
237	Collect a Tax/Fee and Remit Revenue to the State's General Fund		Require		I. Administrative and Program Support II. A Support Services II. B Revenue and Regulatory II. C Legal, Policy and Legislation	Yes	Yes	Yes	Yes	Yes	Please refer to the Fines and Fees Report in for a summary of charges for services and products.
238	Taxes/ Fees	12-4-377	Require		SCDOR must maintain adequate records accounting for the receipt of funds from the sale of confiscated alcoholic beverages. This revenue shall be deposited to the General Fund after deducting costs.						
239	Taxes/ Fees	12-6	Require		SCDOR must collect and remit individual income tax to the General Fund.						
240	Taxes/ Fees	12-6-530	Require		SCDOR must collect and remit corporate income tax to the General Fund.						
241	Taxes/ Fees	12-8	Require		SCDOR must collect and remit revenue from withholding tax to the General Fund.						
242	Taxes/ Fees	12-11	Require		SCDOR must collect and remit the bank tax to the General Fund.						
243	Taxes/ Fees	12-13	Require		SCDOR must collect and remit the savings and loan association tax to the General Fund.						
244	Taxes/ Fees	12-20	Require		SCDOR shall collect and remit the corporate license fee to the General Fund.						
245	Taxes/ Fees	12-21	Require		SCDOR must collect and remit the admission fee, the beer and wine wholesalers excise tax, bingo tax, coin operated device tax and tobacco tax to the General Fund.						
246	Taxes/ Fees	12-21-1120	Require		Beer and wine taxes and license fees provided by this article must be paid to and collected by SCDOR and deposited to the general fund of this state.						
247	Taxes/ Fees	12-24	Require		SCDOR must collect and remit the documentary tax to the General Fund.						
248	Taxes/ Fees	12-33	Require		SCDOR must collect and remit alcoholic liquor tax to the General Fund.						
249	Taxes/ Fees	12-36	Require		SCDOR must collect and remit the sales tax and retailer license fee to the General Fund.						
250	Taxes/ Fees	12-37	Require		SCDOR must collect and remit aircraft property tax and private car lines tax to the General Fund.						
251	Taxes/ Fees	61-6-505(D)	Require		SCDOR shall collect a fee of twenty-five dollars for each temporary license sought.						
252	Taxes/ Fees	61-6-2005	Require		SCDOR shall collect a fee of twenty-five dollars for each temporary one hundred twenty day license.						
253	Taxes/ Fees	61-6-2970	Require		All monies received by SCDOR must be deposited with the State Treasurer.						
254	Collect a Tax/Fee and Remit Revenue to a State or Local Governmental Entity or Non-Governmental Entity		Require		I. Administrative and Program Support II. A Support Services II. B Revenue and Regulatory II. C Legal, Policy and Legislation	Yes	Yes	Yes	Yes	Yes	Please refer to the Fines and Fees Report in for a summary of charges for services and products.
255	Taxes/ Fees	4-10-90(B)	Require		All revenues collected must be remitted to the State Treasurer to be credited to a Local Sales and Use Tax Fund.						
256	Taxes/ Fees	4-10-440	Require		SCDOR shall remit collections from the Education Capital Improvement tax to the State Treasurer						
257	Taxes/ Fees	4-10-940 (E)	Require		SCDOR shall deposit collected fees with the State Treasurer						
258	Taxes/ Fees	12-6-3780 (B)(2)	Require		If the preventative maintenance refundable income tax credit claimed in a tax year is less than the amounts transferred to SCDOR, then the excess shall revert back from SCDOR to the Department of Transportation.						
259	Taxes/ Fees	12-10-80(E)	Require		SCDOR is required to remit the appropriate amount of funds to the State Rural Infrastructure Fund.						
260	Taxes/ Fees	12-10-85(A)	Require		Funds received by SCDOR for the State Rural Infrastructure Fund must be deposited in the State Rural Infrastructure Fund of the Council.						
261	Taxes/ Fees	12-10-88(B)	Require		SCDOR shall remit the redevelopment fees for each calendar quarter for which the Redevelopment Authority provides a timely statement with required information.						

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Deliverables
(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding	Department of Revenue										
Date of Submission	5/31/2018										
Item #	Deliverable	Applicable Laws	Is deliverable provided because...	Optional - Service or Product component(s) (If deliverable is too broad to complete the remaining columns, list each product/service associated with the deliverable, and complete the remaining columns)	Associated Organizational Unit	Does the agency evaluate the outcome obtained by customers / individuals who receive the service or product (on an individual or aggregate basis?)	Does the agency know the annual # of potential customers?	Does the agency know # of customers served?	Does the agency know the annual # evaluate customer satisfaction?	Does the law allow the agency to charge for the service or product?	Additional comments from agency (Optional)
			A) Specifically REQUIRED by law (must or shall); B) Specifically ALLOWED by law (may); or C) Not specifically mentioned in law, but PROVIDED TO ACHIEVE the requirements of the applicable law								
262	Taxes/ Fees	12-21-625(B)(1)	Require	Five million dollars of the revenue generated from the cigarette surtax shall be directed to the Medical University of South Carolina Hollings Cancer Center.							
263	Taxes/ Fees	12-21-625(B)(2)	Require	Five million dollars of the revenue generated shall be directed to the Smoking Prevention and Cessation Trust Fund.							
264	Taxes/ Fees	12-21-625(B)(3)	Require	Remaining revenue shall be deposited in the South Carolina Medical Reserve Fund.							
265	Taxes/ Fees	12-21-1130	Require	SCDOR shall transfer to the special school account from any unallocated funds on the last day of the month the State's portion from the sale of beer or wine.							
266	Taxes/ Fees	12-21-2420(C)(6)(b)	Require	Revenue derived from fishing piers from accounts tax along the coast must be allocated for use by the Commercial Fisheries Division of the Department of Natural Resources.							
267	Taxes/ Fees	12-21-2720 (E)	Require	SCDOR shall collect increased fees on Class 2 coin-operated machines for purposes of funding south Carolina Law Enforcement Division (SLED) operations, and these funds are sent to SLED to offset the cost of video rental enforcement.							
268	Taxes/ Fees	12-21-4190(B)(1)	Require	SCDOR must make the revenue distribution back to the charity for which the bingo cards were purchased. This distribution must be made by the last day of the next month following the month the revenue was collected.							
269	Taxes/ Fees	12-21-4190 (C)	Require	These amounts must be reduced by any delinquent debts as defined in the Setoff Debt Collection Act.							
270	Taxes/ Fees	12-21-4200	Require	Revenue derived from Class F licenses shall be distributed pursuant to Section 12-21-4200.							
271	Taxes/ Fees	12-21-4200 (1)	Require	SCDOR shall deposit with the State Treasurer seven and five one-hundredths percent of bingo revenue to be credited to the account of the Division on Aging but in no case shall the amount be less than six hundred thousand dollars.							
272	Taxes/ Fees	12-21-4200 (3)	Require	SCDOR shall deposit with the State Treasurer seventy-two and fifteen one-hundredths percent of bingo revenue to the general fund, except that the first one hundred thirty-one thousand must be transferred to the Commission on Minority Affairs.							
273	Taxes/ Fees	12-21-6530(A)	Require	If a facility qualifies under this article, one-fourth of the admissions tax generated by that facility must be paid by SCDOR to the county or municipality in which the facility is located.							
274	Taxes/ Fees	12-21-6540(A)	Require	Revenues derived from the Hospital Tax must be deposited in the Medicaid Expansion Fund created by Section 44-6-355.							
275	Taxes/ Fees	12-23-840	Require	Allocates to the Heritage Land Trust Fund a portion of the state portion of the Deed Recording Fee collected.							
276	Taxes/ Fees	12-24-90(B)(1)	Require	Allocates to the State Housing Authority a portion of the state portion of the Deed Recording Fee collected.							
277	Taxes/ Fees	12-24-90(B)(2)	Require	Twenty-five cents of the one dollar thirty-cent state deed recording fee must be credited to the South Carolina Conservation Bank Trust Fund.							
278	Taxes/ Fees	12-24-95	Require	Petroleum Inspection Fees as described in SC Code Sec. 12-28-2355 (A) are collected by SCDOR and remitted to the State Non-Federal Aid Highway Fund at Department of Transportation.							
279	Taxes/ Fees	12-28-2355 (C)	Require	Twenty million dollars of the motor carrier tax must be deposited into the account for economic development as provided in Section 12-28-2910.							
280	Taxes/ Fees	12-28-2915(A)	Require	All revenues in excess of twenty million dollars shall be credited to the Department of Transportation.							
281	Taxes/ Fees	12-28-2915(B)	Require	SCDOR must deposit eleven percent of the revenue generated from the liquor by the drink excise tax with the State Treasurer to be deposited into a separate fund.							
282	Taxes/ Fees	12-33-245(B)	Require	Revenue resulting from the increase in the maximum sales tax must be credited to the Infrastructure Maintenance Trust Fund							
283	Taxes/ Fees	12-36-2110(A)(4)	Require	Allocates proceeds of sales tax imposed by statutes.							
284	Taxes/ Fees	12-36-2620	Require	Specifies Accommodations tax distributions.							
285	Taxes/ Fees	12-36-2630	Require	The proceeds of the 2% local accommodations tax, less SCDOR's actual incremental increase in the cost of administration, must be remitted quarterly to the municipality or the county in which it is collected.							
286	Taxes/ Fees	12-36-2630(3)	Require	SCDOR shall reimburse from funds appropriated for homestead reimbursement the state agency of Vocational Rehabilitation for the actual expenses incurred in making decisions related to disability.							
287	Taxes/ Fees	12-37-250(F)	Require	SCDOR must assess and collect property taxes on motor carriers and remit collections to the State Treasurer's Office and the State Treasurer's Office makes disbursements in accordance with SC Code Sec. 12-37-2870.							
288	Taxes/ Fees	12-37-2850	Require	SCDOR must assess and collect property taxes on motor carriers and remit collections to the State Treasurer's Office and the State Treasurer's Office makes disbursements in accordance with SC Code Sec. 12-37-2870.							
289	Taxes/ Fees	12-56-80(A)	Require	SCDOR must transmit proceeds and accounting of setoffs to claimant agencies.							
290	Taxes/ Fees	12-62-50	Require	SCDOR must remit withholding revenue to Parks, Recreation and Tourism upon request.							
291	Taxes/ Fees	12-62-60(A)(1)	Require	Amount of twenty-six percent of the general fund portion of admissions tax must be provided for exclusive use of the South Carolina Film Commission.							
292	Taxes/ Fees	27-16-110 (C)(3)	Require	SCDOR shall collect all revenues derived from the special tribal bingo tax.							
293	Taxes/ Fees	44-96-120(B)	Require	Allocates proceeds of solid waste disposal fees.							
294	Taxes/ Fees	44-96-160(W)(2)	Require	SCDOR shall remit fees collected pursuant to this chapter to the Solid Waste Management Trust Fund.							
295	Taxes/ Fees	44-96-160(X)	Require	SCDOR is required to adjust the rate of the fee to reflect a full year's collection to produce the amount of revenue required in the fund.							
296	Taxes/ Fees	48-30-40	Require	Proceeds of the assessment on primary forest products shall be deposited to the forest renewal fund.							
297	Taxes/ Fees	48-46-40(D)(1)	Require	SCDOR shall deposit with the State Treasurer payments on low level radioactive waste.							
298	Taxes/ Fees	55-5-280(A)(1)	Require	Collections from the Aircraft Tax from Section 12-37-2410 shall be deposited with the State Treasurer into the State Aviation Fund.							
299	Taxes/ Fees	55-5-280(B)	Require	Revenue received from the Aircraft Tax as allowed in Section 12-37-2410 in excess of two and one-half million dollars shall be directed to the State Aviation Fund. Any revenue in excess of five million dollars must be credited in equal amounts to the general fund and State Aviation Fund.							

The contents of this chart are considered sworn testimony from the Agency Director.

DOB 1820

Deliverables
(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding Date of Submission	Department of Revenue 5/31/2018													
Item #	Deliverable	Applicable Laws	Is deliverable provided because... A) Specifically REQUIRED by law (must or shall); B) Specifically ALLOWED by law (may); or C) Not specifically mentioned in law, but PROVIDED TO ACHIEVE the requirements of the applicable law	Optional - Service or Product component(s) (If deliverable is too broad to complete the remaining columns, list each product/service associated with the deliverable, and complete the remaining columns)	Associated Organizational Unit	Does the agency evaluate the outcome obtained by customers / individuals who receive the service or product (on an individual or aggregate basis?)	Does the agency know the annual # of potential customers?	Does the agency know the annual # of customers served?	Does the agency evaluate customer satisfaction?	Does the agency know the cost it incurs, per unit to provide the service or product?	Does the law allow the agency to charge for the service or product?	Additional comments from agency (Optional)		
300	Taxes/ Fees	58-3-100	Require		SCDOR must assess each utility company, railway company, household goods carrier and hazardous waste for disposal carrier its proportion of the expenses in proportion to its gross income from operation in this State. Assess the companies and collect in the manner provided by law for the collection of taxes and remit into the state treasury as other taxes.									
301	Taxes/ Fees	58-4-60(B)(2)	Require		SCDOR must assess each public utility, railway company, household goods carrier, and hazardous waste for disposal carrier its proportion of the expenses in proportion to its gross income from operation in this State.									
302	Taxes/ Fees	58-5-480	Require		SCDOR bills and collects this tax for the Public Services Commission and Office of Regulatory Staff. SCDOR on or before the first day of July in each year must assess each natural gas utility regulated and collect in the manner provided by law. The assessments must be deposited in a special fund with the State Treasurer's Office.									
303	Taxes/ Fees	58-9-2535	Require		SCDOR must collect a dual relay charge from Commercial Mobile Radio Service (CMRS) providers and remit revenue to the Office of Regulatory Staff.									
304	Taxes/ Fees	59-21-1010	Require		SCDOR must allocate proceeds of additional sales tax imposed by the Education Improvement Act to the State Treasurer.									
305	Taxes/ Fees	61-2-105	Require		SCDOR shall collect increased application and license fees for purposes of funding SLED operations and shall allocate these fees to SLED as soon as practicable.									
306	Taxes/ Fees	61-6-2010	Require		SCDOR shall charge a non-refundable filing fee of one hundred dollars for processing each temporary permit application and a daily permit fee of fifty dollars for each day a temporary permit is approved. SCDOR must also									
307	Taxes/ Fees	61-6-2010(A)	Require		SCDOR shall deposit fees collected with the State Treasurer									
308	Taxes/ Fees	1A.7	Require		(SDE/EIA: Disbursements/Other Entities) Notwithstanding the provisions of Sections 2-7-66 and 11-3-50, South Carolina Code of Laws, it is the intent of the General Assembly that funds appropriated in Part IA, Section 1, VII.E. Other State Agencies and Entities shall be disbursed on a quarterly basis by the SCDOR directly to the state agencies and entities referenced except for the Teacher Loan Program, Centers of Excellence, the Education Oversight Committee and School Technology, which shall receive their full appropriation at the start of the fiscal year from available revenue. The SCDOR is also directed to provide the first quarter appropriation of the funding appropriated in Part IA, Section 1, VIII.G. Charter School District to the Department of Education at the start of the fiscal year from available revenue.									
309	Taxes/ Fees	47.2	Require		SCDOR shall reimburse the Department of Natural Resources the cost of collecting the casual sales tax from revenues generated by the casual sales tax.									
310	Taxes/ Fees	93.7	Require		(DOA: Guardian Ad Litem Program) For the current fiscal year, the SCDOR is directed to reduce the rate of interest paid on eligible refunds by two percentage points. The revenue resulting from this reduction must be used exclusively for operations of the Guardian ad Litem program and be deposited in the State Treasury in a separate and distinct fund known as the "South Carolina Guardian ad Litem Trust Fund."									
311	Taxes/ Fees	109.3	Require		(SCDOR: Rural Infrastructure Fund Transfer) Notwithstanding Section 12-10-85, the SCDOR is authorized to deposit revenues from the Rural Infrastructure Fund in excess of twelve million dollars to the Rural Infrastructure Fund under the Rural Infrastructure Authority. Any revenues in excess of seventeen million dollars shall be deposited in the Rural Infrastructure Fund under the Department of Commerce, Coordinating Council.									
312	Taxes/ Fees	109.9	Require		(SCDOR: May Events) SCDOR shall remit Accommodation tax funds to Horry County for special purposes upon request									
313	Taxes/ Fees	117.86	Require		(GP: Joint Children's Committee) For the current fiscal year, SCDOR is directed to reduce the rate of interest paid on eligible refunds by one percentage point. Of the revenue resulting from this reduction, three hundred thousand dollars shall be transferred to the Senate for the Joint Citizens and Legislative Committee on Children. The remaining revenue resulting from this reduction shall be transferred to the Department of Juvenile Justice (DJJJ).									
314	Determine and Issue a Refund to a Taxpayer		Require		See details below	I. Administrative and Program Support II.A Support Services II. B Revenue and Regulatory II.C Legal, Policy and Legislation	Yes	Yes	Yes	Yes	Yes	Please refer to the Fines and Fees Report in for a summary of charges for services and products.		
315	Refund	12-21-4210	Require		SCDOR shall make refunds on all returned bingo paper. If an organization ceases operation SCDOR shall accept returned paper and credit the value of returned paper.									
316	Refund	12-56-60 (B)	Require		SCDOR shall determine if debtor is due a refund and shall set off the delinquent debt against the refund.									
317	Refund	12-60-2150 (D)	Require		The appropriate division of SCDOR shall determine what refund is due and give the property taxpayer written notice of its determination.									
318	Support State Government		Require		See details below	I. Administrative and Program Support II.A Support Services II. B Revenue and Regulatory II.C Legal, Policy and Legislation	Yes	Yes	Yes	Yes	Yes	Please refer to the Fines and Fees Report in for a summary of charges for services and products.		
319	Reports/ Documents	3-11-400(C)(3)(b)(iii)	Require		SCDOR must make the information reported from gambling vessels available on a quarterly basis to: the county or municipality from which the gambling vessel originates, the general public, the Governor, President Pro Tempore of the Senate and the Speaker of the House.									
320	Reports/ Documents	11-9-820 (D)	Require		SCDOR must provide to the Board of Economic Advisors by November tenth a report of the amount of tax credits claimed and magnetic tapes containing data from all state individual and corporate income tax filings from the previous year.									

The contents of this chart are considered sworn testimony from the Agency Director.

Deliverables

Agency Responding	Department of Revenue
Date of Submission	5/31/2018

DQR 1822
the Agency Director.

Deliverables
(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding	Department of Revenue
Date of Submission	5/31/2018

Item #	Deliverable	Applicable Laws	Is deliverable provided because...	Optional - Service or Product component(s) (If deliverable is too broad to complete the remaining columns, list each product/service associated with the deliverable, and complete the remaining columns)	Associated Organizational Unit	Does the agency evaluate the outcome obtained by customers / individuals who receive the service or product (on an individual or aggregate basis?)	Does the agency know the annual # of potential customers?	Does the agency know the annual # of customers served?	Does the agency know the cost it incurs, per unit, to provide the service or product?	Does the law allow the agency to charge for the service or product?	Additional comments from agency (Optional)
				A) Specifically REQUIRED by law (must or shall); B) Specifically ALLOWED by law (may); or C) Not specifically mentioned in law, but PROVIDED TO ACHIEVE the requirements of the applicable law							
341	Procedures/ Forms	12-60-510 (B)	Require		SCDOR shall issue an amended Department Determination in the same manner as the original if the original is remanded to SCDOR by the Administrative Law Court.						
342	Procedures/ Forms	12-60-1310 (C)	Require		SCDOR and the person shall stipulate the facts and issues after a protest is filed to attempt to settle a case.						
343	Procedures/ Forms	12-60-1310 (D)(I)	Require		SCDOR shall make a Department Determination using information provided in accordance with Section 12-60-301(5)(C) (iii).						
344	Procedures/ Forms	12-60-1310 (D)(2)	Require		A Department Determination by SCDOR must be in writing.						
345	Procedures/ Forms	12-60-1330(B)	Require		SCDOR shall issue an amended Department Determination in the same manner as the original if the original is remanded to SCDOR by the Administrative Law Court.						
346	Procedures/ Forms	12-60-1720	Require		SCDOR shall provide protest forms to county assessors for property assessments. The use of these forms is not mandatory.						
347	Procedures/ Forms	12-60-1730	Require		Upon remand of a case from the Administrative Law Court, SCDOR has thirty days, or a longer period if ordered by the judge, to consider the new facts. SCDOR shall issue its amended Department Determination in the same manner as the original.						
348	Procedures/ Forms	12-60-2130	Require		Upon remand, SCDOR has thirty days, or a longer period ordered by a judge, to consider new facts and amend its Department Determination. SCDOR shall issue its amended Department Determination in the same manner as the original.						
349	Procedures/ Forms	12-60-2150 (H)	Require		See details below						
350	Evaluate and Adjust Tax Rates		Require		I. Administrative and Program Support II. A Support Services II. B Revenue and Regulatory II. C Legal, Policy and Legislation	Yes	Yes	Yes	Yes	Yes	Please refer to the Fines and Fees Report in for a summary of charges for services and products.
351	Tax Rates and Fees	11-47-20(I)	Require		SCDOR shall ascertain the amount of State excise tax paid on cigarettes sold within South Carolina.						
352	Tax Rates and Fees	12-6-520	Require		Annually by December fifteen, SCDOR shall adjust the income tax brackets in the same manner as the Internal Revenue Code 1(f), but limited to one-half the adjustment of IRC Section 1(f) and limit the adjustment to four percent a year and round off to the nearest ten dollars. Inflation adjustments must be made cumulatively to the income tax brackets.						
353	Tax Rates and Fees	12-28-310 (D)	Require		SCDOR shall permanently increase the amount of the motor fuel user fee by two cents, for a total of twelve cents starting on July 1, 2017 and each July 1st thereafter until after July 1, 2022.						
354	Notify Taxpayers and External Stakeholders		Require		See details below						
355	Notification	12-4-385	Require		SCDOR shall notify the appropriate licensing division of the Department of Labor, Licensing and Regulation when a change in policy is proposed concerning a particular industry group.						
356	Notification	12-23-810 (C)	Require		SCDOR must notify hospitals as to the amount of hospital tax due based on calculations from the Department of Health and Human Services.						
357	Notification	12-55-40	Require		SCDOR shall notify a taxpayer that a collection assistance fee may be imposed in order to impose a collection assistance fee on a tax debt.						
358	Notification	12-60-2140(A)	Require		SCDOR shall notify the county auditor where the property is located to adjust the property tax assessment under protest to eighty percent if the appeal is not reasonably expected to be resolved by December thirty first.						
359	Notification	12-60-2150 (B)	Require		SCDOR shall notify the counties affected by any claim for refund of property tax.						
360	Notification	43-5-120(C)	Require		The applicant or recipient whose income tax records have been requested from SCDOR shall be notified by mail that such request has been made at the time of the request.						
361	Notification	44-56-435 (A)	Require		SCDOR shall distribute registration forms to owners and operators of dry cleaning and wholesale supply facilities and to property owners. SCDOR shall use reasonable efforts to identify and notify owners, operators, and property owners of dry cleaning and wholesale supply facilities of the registration requirements by certified mail, return receipt requested. SCDOR shall provide to DHEC a copy of each applicant's registration materials within thirty working days of the receipt of materials.						
362	Notification	44-56-440 (A)(2)(a)	Require		SCDOR must notify the owner or operator of the dry cleaning facility of a registration by the property owner.						
363	Perform Audit Functions and Compliance Inspections to Promote Tax Compliance		Require		See details below	I. Administrative and Program Support II. A Support Services II. B Revenue and Regulatory II. C Legal, Policy and Legislation	Yes	Yes	Yes	Yes	Please refer to the Fines and Fees Report in for a summary of charges for services and products.
364	Audit/ Inspections	12-4-387	Require		SCDOR shall use available personnel to conduct audits involving all taxes to help promote voluntary compliance and collect revenues for the general fund.						

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Deliverables
(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding		Department of Revenue
Date of Submission		5/31/2018

Item #	Deliverable	Applicable Laws	Is deliverable provided because...	Optional - Service or Product component(s) (If deliverable is too broad to complete the remaining columns, list each product/service associated with the deliverable, and complete the remaining columns)	Associated Organizational Unit	Does the agency evaluate the outcome obtained by customers / individuals who receive the service or product (on an individual or aggregate basis?)	Does the agency know the annual # of potential customers?	Does the agency know # of customers served?	Does the agency know customer satisfaction?	Does the agency know the cost it incurs, per unit, to provide the service or product?	Does the law allow the agency to charge for the service or product?	Additional comments from agency (Optional)
			A) Specifically REQUIRED by law (must or shall); B) Specifically ALLOWED by law (may); or C) Not specifically mentioned in law, but PROVIDED TO ACHIEVE the requirements of the applicable law									
365	Audit/ Inspections	12-10-80(A)(11)	Require	SCDOR shall audit each qualifying business with claims in excess of ten thousand dollars in a calendar year at least once every three years to verify proper sources and uses of the funds. SCDOR shall impose a penalty for all reports filed after June thirtieth or the approved extension date.								SCDOR shall impose a penalty for all reports filed after June thirtieth or the approved extension date.
366	Audit/ Inspections	12-10-95(1)(2)	Require	SCDOR must audit any business that claimed the job retraining credit every three years solely for the purpose of verifying proper sources and uses of the credit.								
367	Audit/ Inspections	22-51-70 (B)	Require	SCDOR in the regular course of business may inspect cigarette packages for tampering and marking. If cigarettes are not marked as required SCDOR shall notify the State Fire Marshal.								
368	Provide a Report		Require	See details below		Yes	Yes	Yes	Yes	Yes	Yes	Please refer to the Fines and Fees Report in for a summary of charges for services and products.
369	Reports	11-44-70(D)	Require	SCDOR shall report by March thirty first each year to the House Ways and Means Committee, the Senate Finance Committee, and the Governor, by county, the number of angel investor tax credit applications SCDOR has received. The report must be available in a conspicuous place on SCDOR's website.								
370	Reports	12-4-310(4)	Require	SCDOR shall prepare and publish, annually, statistics reasonably available with respect to the operation of the department, including amounts collected, and other facts it considers pertinent and valuable.								
371	Reports	12-4-380	Require	SCDOR shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee, within thirty days of final settlement, the details of all tax liabilities reduced by order of the director.								
372	Reports	12-20-105 (H)	Require	SCDOR shall report to Senate Finance, House Ways and Means and Department of Commerce the history of the license tax credit pursuant to this section.								
373	Reports	12-21-735(I)	Require	SCDOR must report by March fifteenth of each year to Senate Finance and House Ways and Means the costs associated with the operation of the cigarette tax stamp program.								
374	Reports	12-58-50 (B)	Require	SCDOR shall annually publish a report of recommendations for improving taxpayer compliance and uniform administration.								
375	Reports	44-56-435 (F)	Require	SCDOR shall create and update an annual report of all dry cleaning facilities in the State. Report must identify those that have a dry cleaning facility exemption certificate and must provide the status of the annual certificates of registration for those in the fund. SCDOR shall publicize the report and distribute it as widely as practical on October thirtieth of each year to interested parties.								
376	Reports	59-20-20(3)	Require	SCDOR shall exclude an imputed value of impact aid receipts from the Index of Taxpayers' Ability. The index must be determined annually from sales ratio data. SCDOR shall provide a preliminary index by December first of each year and a final index by February first to the Department of Education and to each auditor of each county. SCDOR shall adjust the index in the year in which an appeal is resolved. The data gathered by SCDOR to determine the index must be preserved as public records in the offices of SCDOR for four years. SCDOR shall file a statement stating the methodology employed in making the annual determination of the index. All worksheets, computer printouts, the actual calculation, appraisals and all working papers must be preserved as part of the public record. SCDOR must use only reported consideration on sales for which deeds have been placed on public record. SCDOR shall make appraisals where sales data is not available. The value of a fee-in-lieu of taxes shall be computed by SCDOR basing the computation on the net fee received and retained by the school district.								
377	Reports	61-6-80	Require	SCDOR shall file annual reports with the Governor and the General Assembly.								
378	Reports	11-8-10(c)	Require	SCDOR shall file annual reports with the Governor and the General Assembly.								
379	Regulate Reporting of Taxpayers		Require	See details below I. Administrative and Program Support II. A Support Services II. B Revenue and Regulatory II. C Legal, Policy and Legislation	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Please refer to the Fines and Fees Report in for a summary of charges for services and products.
380	Forms/ Reports	3-11-400(C)(3)(b)(i)	Require	SCDOR must develop the form and format to report the average daily percentage of winnings to losses by gambling vessels. SCDOR must perform an annual audit to verify the accuracy of the reports.								
381	Forms/ Reports	6-1-825	Require	SCDOR shall identify websites containing "rent by owner" vacation rental opportunities and request them to post a statement on the website that the owner of South Carolina rental properties is required to be licensed and to collect applicable local and state fees and taxes.								
382	Forms/ Reports	12-28-1400	Require	SCDOR must provide the manner in which information related to motor fuel user fees should be submitted and must use all of the information reported to track petroleum products.								
383	Forms/ Reports	58-9-2630(D)	Require	SCDOR shall require an annual report of all communications service providers.								
384	Serve on a Committee or Board		Require	See details below I. Administrative and Program Support II. A Support Services II. B Revenue and Regulatory II. C Legal, Policy and Legislation	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Please refer to the Fines and Fees Report in for a summary of charges for services and products.
385	Active Participation	11-9-820 (A)(1)(d)	Require	The Director of SCDOR shall serve as an ex officio member with no voting rights on the Board of Economic Advisors(BEA), a division of the Revenue and Fiscal Affairs Office.								
386	Active Participation	11-9-825	Require	The BEA must be supplemented by one professional from the staff of SCDOR.								
387	Active Participation	12-35-40	Require	SCDOR must provide representative to Streamlined Sales Tax Committee.								

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Deliverables
(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding	Department of Revenue
Date of Submission	5/31/2018

Item #	Deliverable	Applicable Laws	Is deliverable provided because...	Optional - Service or Product component(s) (If deliverable is too broad to complete the remaining columns, list each product/service associated with the deliverable, and complete the remaining columns)	Associated Organizational Unit	Does the agency evaluate the outcome obtained by customers / individuals who receive the service or product (on an individual or aggregate basis?)	Does the agency know the annual # of potential customers?	Does the agency know the annual # evaluate customer satisfaction?	Does the agency know the cost it incurs, per unit to provide the service or product?	Does the law allow the agency to charge for the service or product?	Additional comments from agency (Optional)
388	Active Participation	13-1-1710	Require	The Director of SCDOR shall serve as a member of the Coordinating Council for Economic Development.	I. Administrative and Program Support II. A Support Services II. B Revenue and Regulatory II. C Legal, Policy and Legislation	Yes	Yes	Yes	Yes	Yes	Please refer to the Fines and Fees Report in for a summary of charges for services and products.
389	Support Local Governments		Require	See details below							
390	Data/ Funds	4-10-90(C)	Require	SCDOR shall furnish data to the State Treasurer and to the governing bodies of the counties and municipalities receiving revenues for the purpose of calculating distributions and estimating revenues. The information which may be supplied to counties and municipalities includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers. (Local Option Sales Tax)							
391	Data/ Funds	4-10-370	Require	SCDOR shall furnish data to the State Treasurer and to county treasurers receiving revenues for the purpose of calculating distributions and estimating revenues. (Local Option Sales Tax)							
392	Data/ Funds	4-10-450	Require	SCDOR shall furnish data to the State Treasurer and to a school district and others receiving tax revenues pursuant to this article for the purpose of calculating distributions and estimating revenues. (Education Capital Improvement Sales Tax)							
393	Data/ Funds	4-10-960	Require	SCDOR shall furnish data to the State Treasurer and to the municipal treasurers receiving revenues for the purpose of calculating distributions and estimating revenues.							
394	Data/ Funds	4-37-30(A)(16)	Require	SCDOR shall share data helpful to both the department and the implementing jurisdiction regarding the enforcement of accommodation tax laws (Fairness in Lodging Acts).							
395	Data/ Funds	6-1-810	Require	SCDOR must reimburse the county treasurer for Homestead Exemption credits of each school district in the county.							
396	Data/ Funds	11-11-156 (5)(b)	Require	SCDOR shall make available to the authorities of a political subdivision information reported to SCDOR pursuant to the requirements of Chapter 36 of this title of businesses licensed under section 12-36-510 in the requesting political subdivision.							
397	Data/ Funds	12-4-310(s)	Require	SCDOR shall make gross receipts or net taxable sales figures reported to SCDOR available to municipalities or counties levying a tax based on gross receipts or net taxable sales.							
398	Data/ Funds	12-4-310(t)	Require	SCDOR shall provide data and assistance to municipalities and counties in which Article 8, Chapter 1, Title 6, the Fairness in Lodging Act, is implemented.							
399	Data/ Funds	12-4-310(l)	Require	SCDOR shall notify the county or municipality in writing if a certification application is approved.							
400	Data/ Funds	12-21-6550(b)	Require	SCDOR must make reimbursements to local governments for the homestead exemption on an annual basis.							
401	Data/ Funds	12-37-280(A)	Require	SCDOR shall make reimbursements for the inventory exemption to counties and municipalities in four equal payments. Counties and municipalities must be reimbursed for the inventory exemption based on the 1987 tax year millage and 1987 tax year assessed values for inventories.							
402	Data/ Funds	12-37-450(A)	Require	SCDOR shall make sales ratio studies in all counties of the State.							
403	Data/ Funds	12-43-250	Require	SCDOR shall remit to the clerk of court of the county the amount of prior liens against the property seized and sold.							
404	Data/ Funds	12-53-50	Require	SCDOR shall prescribe forms necessary to issue mobile home decals.							
405	Data/ Funds	31-17-340	Require	SCDOR shall prescribe forms necessary for moving permits on mobile homes and how it should be displayed.							
406	Data/ Funds	31-17-370	Require	SCDOR, the State Department of Education, and the Clarendon County Auditor shall furnish data to the State Treasurer, the county treasurer, and to the school districts receiving tax revenues pursuant to this act for the purpose of calculating distributions and estimating revenue. The information that must be supplied to Clarendon County school districts upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers.							
407	Data/ Funds	Section 8, Act No. 355 of 2004; Clarendon School District Tax	Require	SCDOR shall furnish data to the State Treasurer and to the school districts receiving tax revenues pursuant to this act for the purpose of calculating distributions and estimating revenues. The information which must be supplied to Cherokee County School District 1 upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers.							
408	Data/ Funds	Section 7, Act No. 588 of 1994; Cherokee School District Tax	Require	SCDOR shall furnish data to the State Treasurer and to the school districts for the purpose of calculating distributions and estimating revenues. The information which must be supplied to the school district upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers.							
409	Data/ Funds	Section 8, Act No. 132 of 2003; Darlington School District	Require	SCDOR shall furnish data to the State Treasurer and to the district for the purpose of calculating distributions and estimating revenues. The information which must be supplied to the district upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers.							
410	Data/ Funds	Section 1(H), Act No. 146 of 2001; Jasper School District	Require	SCDOR, the State Department of Education, and the Lee County Auditor shall furnish data to the State Treasurer, the county treasurer, and to the governing body for the purpose of calculating distributions and estimating revenues. The information that must be supplied to the governing body upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers.							
411	Data/ Funds	Section 9, Act No. 426 of 2006; Lee School District	Require	SCDOR shall furnish data to the State Treasurer and to the school districts receiving tax revenues pursuant to this act for the purpose of calculating distributions and estimating revenues. The information which must be supplied to each school district upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers.							
412	Data/ Funds	Section 8, Act No. 378 of 2004; Lexington School District	Require	SCDOR must supply a copy of the final index of taxing ability to the Department of Education and the auditor of each county on or before February first.							
413	Data/ Funds	Regulation - 117-1720.3	Require	(SOE Impute Index Value) For the current fiscal year and for the purposes of calculating the index of taxing ability the SCDOR shall impute an index value for owner-occupied residential property qualifying for the special four percent assessment ratio. The SCDOR shall not include sales ratio data in its calculation of the index of taxing ability.							
414	Data/ Funds	1.48	Require								

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DOB 1825

Deliverables - Potential Harms

(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding	Department of Revenue
Date of Submission	5/31/2018

Item #	Deliverable	Is deliverable provided because...	Optional - Service or Product component(s) (If deliverable is too broad to complete the remaining columns, list each product/service associated with the deliverable, and complete the remaining columns)	Greatest potential harm to the public if deliverable is not provided	1-3 recommendations to the General Assembly, other than § and providing the deliverable, for how the General Assembly can help avoid the greatest potential harm	Other state agencies whose mission the deliverable may fit within
1	Administer a License or Issue a Certificate to Operate a Place of Business or Sell a Specific Product	Require A) Specifically REQUIRED by law (must or shall); B) Specifically ALLOWED by law (may); or C) Not specifically mentioned in law, but PROVIDED TO ACHIEVE the requirements of the applicable law	See details in the Deliverables Tab	Through the administration of taxes and fees, SCDOR collects approximately 95% of the General Fund which primarily supports state government and the citizens of this state. State Government and citizens of this state will lose services if revenue collections are not remitted.	Ensure the General Assembly enacts laws that are clear and easy to understand to promote taxpayer compliance.	All South Carolina entities receiving General Appropriations.
63	Administer, Enforce, and/or Collect Taxes and Fees	Require	See details in the Deliverables Tab	Through the administration of taxes and fees, SCDOR collects approximately 95% of the General Fund which primarily supports state government and the citizens of this state. State Government and citizens of this state will lose services if revenue collections are not remitted.	Ensure the General Assembly enacts laws that are clear and easy to understand to promote taxpayer compliance.	All South Carolina entities receiving General Appropriations.
174	Protecting Taxpayers Rights	Require	See details in the Deliverables Tab	The taxpayer would have no representation within the tax administration process.	Ensure the General Assembly enacts laws that are clear and easy to ensure taxpayers understand their rights.	No
184	Assist Local Governments Related to Property Taxes	Require	See details in the Deliverables Tab	Local governments depend on SCDOR's administrative function of assessing property taxes and advising on administrative property tax procedures.	Ensure the General Assembly enacts laws that are clear and easy to understand to promote taxpayer compliance.	Local Governments
230	Assist the Catawba Indian Tribe with the Administration of Taxes	Require	See details in the Deliverables Tab	The Tribe depends on SCDOR's administrative function of assessing property taxes and advising on administrative tax procedures.	Ensure the General Assembly enacts laws that are clear and easy to understand to promote taxpayer compliance.	Catawba Indian Tribe

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Deliverables - Potential Harms

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237	Collect a Tax/Fee and Remit Revenue to the State's General Fund	Require	See details in the Deliverables Tab	Through the administration of taxes and fees, SCDOR collects approximately 95% of the General Fund which primarily supports state government and the citizens of this state. State Government and citizens of this state will lose services if revenue collections are not remitted.	Ensure the General Assembly enacts laws that are clear and easy to understand to promote taxpayer compliance.	All South Carolina entities receiving General Appropriations.
254	Collect a Tax/Fee and Remit Revenue to a State or Local Governmental Entity or Non-Governmental Entity	Require	See details in the Deliverables Tab	Through the administration of taxes and fees, SCDOR collects approximately 95% of the General Fund which primarily supports state government and the citizens of this state. State Government and citizens of this state will lose services if revenue collections are not remitted.	Ensure the General Assembly enacts laws that are clear and easy to understand to promote taxpayer compliance.	All South Carolina entities receiving General Appropriations.
314	Determine and Issue a Refund to a Taxpayer	Require	See details in the Deliverables Tab	Through the administration of taxes and fees, SCDOR collects approximately 95% of the General Fund which primarily supports state government and the citizens of this state. State Government and citizens of this state will lose services if revenue collections are not remitted.	Ensure the General Assembly enacts laws that are clear and easy to understand to promote taxpayer compliance.	All South Carolina entities receiving General Appropriations.
318	Support State Government	Require	See details in the Deliverables Tab	Through the administration of taxes and fees, SCDOR collects approximately 95% of the General Fund which primarily supports state government and the citizens of this state. State Government and citizens of this state will lose services if revenue collections are not remitted.	Ensure the General Assembly enacts laws that are clear and easy to understand to promote taxpayer compliance.	All South Carolina entities receiving General Appropriations.

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Deliverables - Potential Harms

(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding		Department of Revenue		Date of Submission		
				5/31/2018		
Item #	Deliverable	Is deliverable provided because...	Optional - Service or Product component(s)	Greatest potential harm to the public if deliverable is not provided	1-3 recommendations to the General Assembly, other than § and providing the deliverable, for how the General Assembly can help avoid the greatest potential harm	Other state agencies whose mission the deliverable may fit within
332	Establish Partnerships to Promote Tax Compliance and Simplify Tax Administration	A) Specifically REQUIRED by law (must or shall); B) Specifically ALLOWED by law (may); or C) Not specifically mentioned in law, but PROVIDED TO ACHIEVE the requirements of the applicable law	See details in the Deliverables Tab	Through the administration of taxes and fees, SCDOR collects approximately 95% of the General Fund which primarily supports state government and the citizens of this state. State Government and citizens of this state will lose services if revenue collections are not remitted.	Ensure the General Assembly enacts laws that are clear and easy to understand to promote taxpayer compliance.	All South Carolina entities receiving General Appropriations.
337	Establish Procedures for Disagreements	Require	See details in the Deliverables Tab	The taxpayer would have no representation within the tax administration process.	Ensure the General Assembly enacts laws that are clear and easy to ensure taxpayers understand their rights.	No
350	Evaluate and Adjust Tax Rates	Require	See details in the Deliverables Tab	Through the administration of taxes and fees, SCDOR collects approximately 95% of the General Fund which primarily supports state government and the citizens of this state. State Government and citizens of this state will lose services if revenue collections are not remitted.	Ensure the General Assembly enacts laws that are clear and easy to understand to promote taxpayer compliance.	All South Carolina entities receiving General Appropriations.
354	Notify Taxpayers and External Stakeholders	Require	See details in the Deliverables Tab	Through the administration of taxes and fees, SCDOR collects approximately 95% of the General Fund which primarily supports state government and the citizens of this state. State Government and citizens of this state will lose services if revenue collections are not remitted.	Ensure the General Assembly enacts laws that are clear and easy to understand to promote taxpayer compliance.	All South Carolina entities receiving General Appropriations.

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363	Perform Audit Functions and Compliance Inspections to Promote Tax Compliance	Require	See details in the Deliverables Tab	Through the administration of taxes and fees, SCDOR collects approximately 95% of the General Fund which primarily supports state government and the citizens of this state. State Government and citizens of this state will lose services if revenue collections are not remitted.	Ensure the General Assembly enacts laws that are clear and easy to understand to promote taxpayer compliance.	All South Carolina entities receiving General Appropriations.
368	Provide a Report	Require	See details in the Deliverables Tab	SCDOR would no longer be accountable to entities receiving reports	Ensure the General Assembly enacts laws that are clear and easy to understand to promote taxpayer compliance.	All entities receiving a report.
379	Regulate Reporting of Taxpayers	Require	See details in the Deliverables Tab	Through the administration of taxes and fees, SCDOR collects approximately 95% of the General Fund which primarily supports state government and the citizens of this state. State Government and citizens of this state will lose services if revenue collections are not remitted.	Ensure the General Assembly enacts laws that are clear and easy to understand to promote taxpayer compliance.	All South Carolina entities receiving General Appropriations.
384	Serve on a Committee or Board	Require	See details in the Deliverables Tab	The committee or board would not receive the expertise provided by the SCDOR representative.	No	All committees and boards on which SCDOR has a representative.
389	Support Local Governments	Require	See details in the Deliverables Tab	Local governments depend on SCDOR's administrative function of assessing property taxes, furnishing data and advising on administrative tax procedures.	Ensure the General Assembly enacts laws that are clear and easy to understand to promote taxpayer compliance.	Local Governments

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Organizational Units

(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding	Department of Revenue
Date of Submission	5/31/2018

Did the agency make efforts to obtain information from employees leaving the agency (e.g., exit interview, survey, evaluation, etc.) in 2014-15; 2015-16; or 2016-17? (Y/N)	2014-15: Yes, Exit Interviews 2015-16: Yes, Exit Interviews 2016-17: Yes, Exit Interviews
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Organizational Unit	Purpose of Organizational Unit	Year	Turnover Rate in the organizational unit	Did the agency evaluate and track employee satisfaction in the organizational unit? (Y/N)	Did the agency allow for anonymous feedback from employees in the organizational unit? (Y/N)	Did any of the jobs in the organizational unit require a certification (e.g., teaching, medical, accounting, etc.)? (Y/N)	If yes, in the previous column, did the agency pay for, or provide in-house, classes/instruction/etc. needed to maintain all, some, or none of the required certifications?
I. Administrative and Program Support		2014-15:	7.69%	Yes	Yes	No	
	Internal Audit, Information Security and Communications	2015-16:	0.00%	Yes	Yes	No	
		2016-17:	6.67%	No	No	No	
II.A Support Services		2014-15:	23.53%	Yes	Yes	Yes	All
	Administrative Services and Information Technology Services	2015-16:	17.76%	Yes	Yes	Yes	All
		2016-17:	18.40%	No	No	Yes	All
III. B Revenue and Regulatory		2014-15:	12.42%	Yes	Yes	Yes	All
	Field Operations, Taxpayer & Business Services, Government Services and Litigation	2015-16:	10.90%	Yes	Yes	Yes	All
		2016-17:	14.34%	No	No	Yes	All
III.C Legal, Policy and Legislation		2014-15:	0.00%	Yes	Yes	Yes	All
	General Counsel	2015-16:	0.00%	Yes	Yes	Yes	All
		2016-17:	37.50%	No	No	Yes	All

(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding	
Date of Submission	
Department of Revenue	
May 31, 2018	

If the agency feels additional explanation of data provided in any of the sections below would assist those reading the document in better understanding the data please add a row under the applicable section, label it "Additional Notes," and enter the additional explanation.

Line # **Fiscal Year 2016-17**

START OF-YEAR FINANCIAL RESOURCES AVAILABLE (2016-17)									
Revenue (generated or received) sources									
	Revenue (generated or received) Source (do not combine recurring with one-time and please list the sources deposited in the same SCEIS Fund in consecutive columns)	Total	Source #1 General Fund	Source #2 General Fund - Supplemental	Source #3 Other Funds - Earmarked	Source #4 Other Funds - Capital Reserve	Source #5 Other Funds - Restricted	Source #6 Other Funds -	
			Recurring	One-Time	Recurring	One-Time	Recurring	One-Time	Recurring
			State, Federal, or Other?	State, Federal, or Other?	Agency Wide	Agency Wide	Agency Wide	Agency Wide	Agency Wide
	Indicate whether revenue is generated (by agency through sale of deliverables or application for grants) or received (from state or set federal matching funds)?		Received from state or set federal match?	Received from state or set federal match?	Generated by agency	Generated by agency	Received from state or set federal match?	Received from state or set federal match?	Received from state or set federal match?
	Does this money remain with the agency or go to the General Fund?		Remain with agency	Remain with agency	Remain with agency	Remain with agency	Remain with agency	Remain with agency	Remain with agency
	Revenue (generated or received) last year	Total							
5A	Total generated or received by June 30, 2016 (end of 2015-16)	\$ 88,607,003	\$ 51,361,440		\$ 30,597,150	\$ 6,000,000	\$ 738,413		
6A	Where revenue (generated or received) appears in SCEIS SCEIS Fund #1 (E-vestable Level - 8 digit) (full set of materials available for each through SCEIS); same Fund may be in multiple columns if multiple funding sources are deposited into it	Total	1001.0000	1001.0000		363.4000	4552.0000		
7A	SCEIS Fund Description	N/A	General Fund	General Fund		Capital Reserve Fund	CID - Equitable Sharing		
8A-2	Cash balances at start of this year - (Cash balance for each Source of Fund should be entered only once and appear in the column where the Source of Fund is first listed)	Total	\$ 2,478,993	\$ 2,478,993		\$ 5,354,149	\$ 118,905		
8A-3	Cash balance at the end of 2014-15	\$ 1,010,565	(259,513)	(259,513)		\$ 3,203,012	\$ 645,405		
8A	Change in cash balance during 2015-16	\$ 22,173,855	\$ 1,649,480	\$ 1,649,480		\$ 9,557,161	\$ 769,494		
9A	RESOURCES AGENCY IS ALLOWED TO USE (2016-17) State Funded Program #	Total							
10A	State Funded Program Description in the General Appropriations Act	N/A	0100.0000000000 3001.0500000000 3001.1000000000 3000.1500000000	9884.500000X000 9886.520000X000	0100.0000000000 3001.0500000000 3001.1000000000 3000.1500000000	9884.500000X000 9886.520000X000 9886.520000X000 9886.520000X000	3001.1000000000 3001.1000000000 3001.1000000000 3001.1000000000	3001.1000000000 3001.1000000000 3001.1000000000 3001.1000000000	11.8 Revenue & Regulatory
11A	Amounts Appropriated and Authorized (i.e. allowed to spend) Note: Appropriations and authorizations are based on cash available and amounts estimated to receive during the year.	Total							
12A	Amounts appropriated, and amounts authorized, to the agency for 2015-16 that were not spent AND the agency can spend in 2016-17	\$ 11,852,260	\$ 1,649,480	\$ 1,649,480		\$ 10,203,780	\$ 95,000		
13A	2016-17 Appropriations & Authorizations to agency (start of year)	\$ 82,575,761	\$ 48,398,668	\$ 48,398,668		\$ 34,082,093	\$ 95,000		
14A	Total allowed to spend at START of 2016-17	\$ 94,428,021	\$ 50,043,148	\$ 50,043,148		\$ 44,384,873	\$ 95,000		
15A	2016-17 Appropriations & Authorizations to agency (during the year)	\$ 5,287,418	\$ 1,287,418	\$ 1,287,418		\$ 4,000,000	\$ 95,000		
	Total allowed to spend by END of 2016-17	\$ 99,715,439	\$ 51,335,566	\$ 51,335,566		\$ 48,384,873	\$ 95,000		

(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding		Department of Revenue	
Date of Submission	May 31, 2018		
HOW RESOURCES ARE UTILIZED (2016-17)			
How Spending is Tracked		SCEIS	
Databases through which expenditures are tracked			
Summary of Resources Available			
Source of Funds	General Fund		
External restrictions (from state/federal govt, grant issuer, etc.), if any, on use of funds	N/A		
State Funded Program Description in the General Appropriations Act	N/A		
	I. Administrative & Program Support II.A Support Services II.B Revenue & Regulatory II.C Legal, Policy & Legislative III. Employee Benefits	I. Administrative & Program Support II.A Support Services II.B Revenue & Regulatory II.C Legal, Policy & Legislative III. Employee Benefits	Other Funds - Capital Reserve N/A
Total Appropriated and Authorized (i.e., allowed to spend) by the end of 2016-17	\$ 99,715,439	\$ 51,335,566	\$ 2,145,202
Toward Agency's 2016-17 Comprehensive Strategic Plan. (By Strategy at a minimum, and if possible, by Objective)			
STRATEGIC PLAN			
Goal 1 - Fairly administer and enforce the revenue and regulatory laws of the State of South Carolina.			
Strategy 1.1 - Increase tax compliance of all taxpayers			
Objective 1.1.1 - Collect tax revenue in support of the State's General Fund.	\$ 55,672,510	\$ 33,314,458	\$
Objective 1.1.2 - Reduce debt owed to South Carolina organizations and governmental entities by expanding external stakeholder partnerships.	\$		\$
Objective 1.1.3 - Ensure equity across South Carolina taxpayers by pursuing non-compliant taxpayers through fair identification, audit, and litigation.	\$		\$
Objective 1.1.4 - Increase taxpayer awareness and compliance through outreach and by simplifying filing and payment methods.	\$		\$
Strategy 1.2 - Protect taxpayers and State revenues by enforcing fraud prevention & detection.	\$ 2,110,845	\$ 856,875	\$ 156,085
Objective 1.2.1 - Increase the prevention rate of fraudulent tax refunds distributed.	\$		\$
Objective 1.2.2 - Increase employee and public awareness of personal protection strategies to prevent fraud.	\$		\$
Strategy 1.3 - Consolidate SCOR's multiple tax processing systems into one efficient system, known as DORWAY.	\$ 1,488,578	\$ 1,343,445	\$ 145,133
Objective 1.3.1 - Monitor and refine the taxes transmitted to DORWAY in Phase I (F15) and Phase II (F16).	\$		\$
Objective 1.3.2 - Prepare for and implement Phase II of DORWAY, scheduled for rollout in September of 2017.	\$		\$
Objective 1.3.3 - Prepare for Phase I of DORWAY, scheduled for rollout in September of 2018.	\$		\$
Goal 2 - Ensure taxpayer security by utilizing state-of-the-art technology.			
Strategy 2.1 - Cultivate an increasingly mature security governance program.	\$ 1,976,359	\$ 991,365	\$ 934,994
Objective 2.1.1 - Achieve satisfactory results from each external regulatory body performing a security assessment or audit.	\$		\$
Objective 2.1.2 - Increase employee knowledge by providing in-class and e-learning training opportunities regarding security and disclosure.	\$		\$
Objective 2.1.3 - Perform oversight of partners and vendors.	\$		\$
Strategy 2.2 - Increase efficiency and security by effectively utilizing state-of-the-art security technology and processes.	\$ 6,321,544	\$ 2,895,467	\$ 4,206,809
Objective 2.2.1 - Ensure security resources (laptops, hardware, software, etc.) are fully leveraged.	\$		\$
Objective 2.2.2 - Provide flexibility to Agency business operations by streamlining security processes.	\$		\$
Objective 2.2.3 - Increase taxpayer customer service by reducing the "time to market" for new products and services.	\$		\$
Objective 2.2.4 - Maintain and enhance employee and stakeholder safety in the workplace.	\$		\$
Strategy 2.3 - Increase security by consolidating multiple unquoted tax processing systems through the implementation of DORWAY.	\$ 6,786,316	\$ 798,826	\$ 923,740
Objective 2.3.1 - Conduct a Risk Assessment of DORWAY, Phase III, and achieve a score of 95% or greater.	\$		\$
Objective 2.3.2 - Complete an Application Security Scan of MYDORWAY (online taxpayer portal).	\$		\$
Objective 2.3.3 - Complete an access review of DORWAY users.	\$		\$
Goal 3 - Maintain a positive customer service experience for all stakeholders.			
Strategy 3.1 - Increase taxpayer satisfaction by enhancing how the Agency interfaces with customers.	\$ 2,326,291	\$ 2,277,816	\$ 48,474
Objective 3.1.1 - Maintain a positive customer satisfaction score as reported through an independent third party surveyor.	\$		\$
Objective 3.1.2 - Enhance the customer service experience for stakeholders who utilize the Agency's public facing teams (i.e., Call Center, TAO, etc.).	\$		\$
Objective 3.1.3 - Increase employee knowledge by providing in-class and e-learning training opportunities regarding Phase III of DORWAY.	\$		\$
Strategy 3.2 - Streamline tax processing to ensure effective, accurate, and timely service for all taxpayers.	\$ 3,694,291	\$ 3,366,805	\$ 327,486
Objective 3.2.1 - Increase the % of total tax returns received electronically.	\$		\$
Objective 3.2.2 - Increase taxpayer usage of the MYDORWAY portal.	\$		\$
Objective 3.2.3 - Increase tax payments and license fees received electronically.	\$		\$
Strategy 3.3 - Increase customer satisfaction by offering assistance through the interpretation & dissemination of tax law.	\$ 802,866	\$ 797,516	\$ 5,350
Objective 3.3.1 - Offer formal and informal interpretation of tax laws to advocate taxpayer compliance.	\$		\$
Objective 3.3.2 - Increase customer satisfaction by disseminating information to taxpayers to advocate tax compliance.	\$		\$
Objective 3.3.3 - Increase customer satisfaction by disseminating information to taxpayers to advocate tax compliance.	\$		\$

Comprehensive Strategic Finances
(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding		Department of Revenue											
Data of Submission		May 31, 2018											
Goal 4 - Promote and maintain a competent, productive, and diverse workforce.													
Strategy 4.1 - Recruit and develop a competent, productive, and diverse workforce													
Objective 4.1.1 - Recruit and hire candidates that meet or exceed the minimum qualifications to ensure Agency needs are met and sustained.													
Objective 4.1.2 - Increase employee knowledge by providing in-class, e-learning, and mentoring training opportunities.													
Objective 4.1.3 - Support employee advancement through the attainment of relevant industry credentials.													
Objective 4.1.4 - Continuously review and enhance succession planning efforts.													
Strategy 4.2 - Value and retain a competent, productive, and diverse workforce													
Objective 4.2.1 - Increase the % of employee evaluations (EPMS) completed by the due date.													
Objective 4.2.2 - Enhance the Agency's competitiveness in the marketplace by conducting salary studies.													
Objective 4.2.3 - Promote employee participation in health, wellness, and community outreach opportunities.													
Objective 4.2.4 - Meet or exceed State diversity goals.													
22A													
	Total spent toward Strategic Plan	\$	82,297,753	\$	46,856,914	\$	2,145,202	\$	29,239,936	\$	4,036,433	\$	19,269
22A-2	Prior to receiving these report guidelines, did the agency have a comprehensive strategic plan? (enter Yes or No after the question mark in this cell)												
23A	Spent/Transferred not toward Agency's Comprehensive Strategic Plan												
	Unrelated Purpose #1 - Insert description:	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
	Insert any additional unrelated purposes	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
24A	Total not toward Strategic Plan in 2016-17	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
END OF YEAR AMOUNT REMAINING (2016-17)													
Appropriations and Authorizations remaining at end of year													
25A	Source of Funds												
26A	Recurring or one-time?												
27A	State, Federal, or Other?												
28A	State Funded Program Description in the General Appropriations Act												

Comprehensive Strategic Finances
(Study Step 1: Agency Legal Directives, Plan and Resources)

68	Agency Responding Date of Submission SCDS Fund # (Expendable level - 8 digit) (full set of financials available for each through SCDS); same Fund may be in multiple columns if multiple funding sources are deposited into it	Department of Revenue May 31, 2018					45520000
		N/A	10010000	10010000	30350000 - Operating Revenue 30350020 - Op Rev - Info Res Mgmt. 30350023 - Tobacco Enforcement 30350036 - Bankrupt FD - Gen Csel 31390000 - Bingo Revenue - Admin 31670000 - Tax Education Prog 31860000 - Expert Witness 36060000 - SC Bus One-Stop Proj 38110000 - DOR Data Warehouse 39580000 - Sale of Assets See Above	36340000	
78	SCDS Fund Description	N/A	General Fund	General Fund	Capital Reserve Fund	CID - Equitable Sharing	
		Total					
88-2	Cash balances at start of the year - (Cash balance for each Source of Fund should be entered only once and appear in the column where the Source of Fund is first listed)	\$ 22,173,855	\$		\$ 9,537,161	\$	764,434
88-3	Cash balance at the end of 2015-16	\$ 6,448,311	\$	1,649,480	\$ 5,810,067	\$	(9,793)
88	Change in cash balance during 2016-17	\$ 28,622,166	\$	2,859,172	\$ 15,367,228	\$	755,141
	Total cash balance as of July 1, 2017 (start of 2017-18)			4,478,652	\$	\$ 8,021,143	\$

(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Responding Date of Submission	Department of Revenue July 31, 2018																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											
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Comprehensive Strategic Finances
(Study Step 1: Agency Legal Directives, Plan and Resources)

Agency Reporting	Date of Submission	Department of Revenue									
		May 31, 2018									
Objective 2.2.2 - Provide flexibility to Agency business operations by streamlining security processes.											
Objective 2.2.3 - Increase taxpayer customer service by reducing the "time to market" for new products and services.											
Objective 2.2.4 - Maintain and enhance employee and stakeholder safety in the workplace.											
Strategy 2.3 - Increase security by consolidating multiple automated tax processing systems through the implementation of DORWay.										1,000,000	2,739,635
Objective 2.3.1 - Conduct a Risk Assessment of DORWay, Phasell, and achieve a score of 95% or greater.											
Objective 2.3.2 - Complete an Application Security Scan of MYDORWay (Online taxpayer portal).											
Objective 2.3.3 - Complete an access review of DORWay users.											
Goal 3 - Maintain a positive customer service experience for all stakeholders.											
Strategy 3.1 - Increase taxpayer satisfaction by enhancing how the Agency interacts with customers.											
Objective 3.1.1 - Maintain a positive customer satisfaction score as reported through an independent third party surveyor.										50,000	
Objective 3.1.2 - Enhance the customer service experience for stakeholders who utilize the Agency's public contact teams (i.e., Call Center, TAO, etc.).											
Objective 3.1.3 - Increase employee knowledge by providing in-class, e-learning, and mentoring training opportunities regarding Phase III of DORWay.										350,000	
Strategy 3.2 - Streamline tax processing to ensure effective, accurate, and timely service for all taxpayers.											
Objective 3.2.1 - Increase the % of total tax returns received electronically.											
Objective 3.2.2 - Increase taxpayer usage of the MYDORWay portal.											
Objective 3.2.3 - Increase tax payments and license fees received electronically.											
Strategy 3.3 - Increase customer satisfaction by offering assistance through the interpretation & dissemination of tax law.										10,000	
Objective 3.3.1 - Offer formal and informal legal interpretation of tax laws to advocate taxpayer compliance.											
Objective 3.3.2 - Increase customer satisfaction by disseminating information to taxpayers to advocate tax compliance.											
Goal 4 - Promote and maintain a competent, productive, and diverse workforce.											
Strategy 4.1 - Recruit and develop a competent, productive, and diverse workforce.											
Objective 4.1.1 - Recruit and hire candidates that meet or exceed the minimum qualifications to ensure Agency needs are met and sustained.										50,000	
Objective 4.1.2 - Increase employee knowledge by providing in-class, e-learning, and mentoring training opportunities.											
Objective 4.1.3 - Support employee advancement through the attainment of relevant industry credentials.											
Objective 4.1.4 - Continuously review and enhance succession planning efforts.										85,000	
Strategy 4.2 - Value and retain a competent, productive, and diverse workforce.											
Objective 4.2.1 - Increase the % of employee evaluations (EPMS) completed by the due date.											
Objective 4.2.2 - Enhance the Agency's competitiveness in the marketplace by conducting salary studies.											
Objective 4.2.3 - Promote employee participation in health, wellness, and community outreach opportunities.											
Objective 4.2.4 - Meet or exceed State diversity goals.											
Total spent toward Strategic Plan										\$ 54,589,622	\$ 3,377,904
										\$ 34,082,093	\$ 95,000
228											
228-2	Prior to receiving these report guidelines, did the agency have a comprehensive strategic plan? (enter Yes or No after the question mark in this cell)										
238	Spent/Transferred not toward Agency's Comprehensive Strategic Plan										
	Unrelated Purpose #1 - Insert Description:										
	Insert any additional unrelated purposes										
248	Total not toward Strategic Plan in 2017-18										
END OF YEAR AMOUNT REMAINING (2017-18)											
Appropriations and Authorizations remaining at end of year											
258	Source of Funds									Other Funds - Capital Reserve	Other Funds - Restricted
268	Recurring or one-time?									Recurring	Other
278	State, Federal, or Other?									FY15 - H4702 - Capital Reserve Fund	Other
288	State Funded Program Description in the General Appropriations Act									FY16 - H3702 - Capital Reserve Fund	Other
										FY17 - H5002 - Capital Reserve Fund	Other
298	Total allowed to spend by END of 2017-18										
308	(minus) Spent to Achieve Agency's Comprehensive Strategic Plan (BUDGETED)										
318	(minus) Spent/Transferred not toward Agency's Comprehensive Strategic Plan (BUDGETED)										
328	Amount of appropriations and authorizations remaining (BUDGETED)										
										\$ 4,643,242	\$ 4,643,242

Performance Measures (Study Step 2: Performance)

Agency Responding	Department of Revenue
Date of Submission	5/31/2018

Types of Performance Measures:

Outcome Measure - A quantifiable indicator of the public and customer benefits from an agency's actions. Outcome measures are used to assess an agency's effectiveness in serving its key customers and in achieving its mission, goals and objectives. They are also used to direct resources to strategies with the greatest effect on the most valued outcomes. Outcome measures should be the first priority. Example - % of licensees with no violations.

Efficiency Measure - A quantifiable indicator of productivity expressed in unit costs, units of time, or other ratio-based units. Efficiency measures are used to assess the cost-efficiency, productivity, and timeliness of agency operations. Efficiency measures measure the efficient use of available resources and should be the second priority. Example - cost per inspection

Output Measure - A quantifiable indicator of the number of goods or services an agency produces. Output measures are used to assess workload and the agency's efforts to address demands. Output measures measure workload and efforts and should be the third priority. Example - # of business license applications processed.

Input/Activity Measure - Resources that contribute to the production and delivery of a service. Inputs are "what we use to do the work." They measure the factors or requests received that explain performance (i.e. explanatory). These measures should be the last priority. Example - # of license applications received

Performance Measure	Type of Measure:	Agency selected: Required by State; or Required by Federal:	Time Applicable	Target and Actual row labels	Target and Actual Results (Time Period #1)	Target and Actual Results (Time Period #2)	Target and Actual Results (Time Period #3)	Target and Actual Results (Time Period #4)	Target and Actual Results (Time Period #5 - most recent completed time period)	Target Results Time Period #6 (current time period)	Currently using, considering using in future, no longer using
Total SCDOR General Fund Tax Revenue Collections (Dollars in Billions)	Outcome Measure	Agency Selected	July - June	Target: Actual: \$8.9 billion	DNE \$9.1 billion	\$10.5 billion \$10.5 billion	\$10.5 billion \$10.9 billion	\$10 billion \$7.75 billion	\$8.12 billion		Currently Using
Total SCDOR Other Fund Tax Revenue Collections (Dollars in Billions)	Outcome Measure	Agency Selected	July - June	Target: Actual: Reported Above	DNE 70%	DNE 70%	DNE 70%	\$3.9 billion \$3.9 billion	\$3.9 billion		Currently Using
Percentage of tax returns filed electronically.	Efficiency Measure	Agency Selected	July - June	Target: Actual: 64%	DNE 64%	70% 68%	70% 65%	70% 69%	70%		Currently Using
Percentage of dollars collected through electronic services.	Efficiency Measure	Agency Selected	July - June	Target: Actual: 83%	DNE 83%	85% 84%	80% 85%	85% 82%	85%		Currently Using
Cost per dollar collected	Efficiency Measure	Agency Selected	July - June	Target: Actual: \$0.0076	DNE 0.0074	DNE 0.0079	\$0.0071 \$0.0071	\$0.0071 \$0.0065	\$0.0065		Currently Using
Number of NEXUS registrations.	Output Measure	Agency Selected	July - June	Target: Actual: 287	DNE DNE	DNE DNE	200 273	200 118	DNE		Currently Using
Number tax audits completed.	Output Measure	Agency Selected	July - June	Target: Actual: DNE	DNE DNE	DNE DNE	45,000 45,638	45,000 43,056	DNE		Currently Using
Dollars assessed by SCDOR's audit services (dollars in millions)	Output Measure	Agency Selected	July - June	Target: Actual: DNE	DNE DNE	DNE DNE	\$172 million \$172 million	\$172 million \$288 million	DNE		Currently Using
Percentage increase in collections from the Debt Setoff Program	Outcome Measure	Agency Selected	January - December	Target: Actual: DNE	DNE DNE	DNE DNE	10% 9%	10% 9%	9%		Currently Using
Collections from the Governmental Enterprise Accounts Receivable Program (GEAR) (dollars in millions)	Outcome Measure	Agency Selected	January - December	Target: Actual: \$11.79 million	\$14.2 million \$14.2 million	\$13.8 million \$13.8 million	\$12.5 million \$12.8 million	\$12.5 million \$16.1 million	\$16.1 million		Currently Using
Percentage increase in the total tax dollars saved from the identification of fraudulent activity.	Outcome Measure	Agency Selected	July - June	Target: Actual: DNE	DNE DNE	DNE DNE	DNE 62%	DNE 19%	DNE		Currently Using
Percentage of total tax dollars saved due to the identification of fraudulent activity as a result of the new data mining activities initiated.	Outcome Measure	Agency Selected	July - June	Target: Actual: DNE	DNE DNE	DNE DNE	DNE 29%	DNE 42%	DNE		Currently Using
Number of tax types migrated to DORWay Phase III.	Efficiency Measure	Agency Selected	July - June	Target: Actual: DNE	DNE DNE	DNE DNE	DNE DNE	DNE 13	15		Currently Using
Percentage of completion for migrating tax types to DORWay Phase III.	Efficiency Measure	Agency Selected	July - June	Target: Actual: DNE	DNE DNE	DNE DNE	DNE 100%	DNE 100%	100%		Currently Using
Number of taxpayer accounts migrated to DORWay Phase III.	Efficiency Measure	Agency Selected	July - June	Target: Actual: DNE	DNE DNE	DNE DNE	DNE DNE	DNE 1,060,654	DNE		Currently Using
Percentage of completion for migrating taxpayer accounts to DORWay Phase III.	Efficiency Measure	Agency Selected	July - June	Target: Actual: DNE	DNE DNE	DNE DNE	DNE DNE	4,255,394 100%	100%		Currently Using
Number of transaction tests performed in	Input/Activity Measure	Agency Selected	July - June	Target: Actual: DNE	DNE DNE	DNE DNE	DNE DNE	DNE 8,828	DNE		Currently Using

The contents of this chart are considered sworn testimony from the Agency Director.

Performance Measures
(Study Step 2: Performance)

Performance Measure	Type of Measure:	Agency selected; Required by State; or Required by Federal:	Time Applicable	Target and Actual row labels	Target and Actual Results (Time Period #1)	Target and Actual Results (Time Period #2)	Target and Actual Results (Time Period #3)	Target and Actual Results (Time Period #4)	Target and Actual Results (Time Period #5 – most recent completed time period)	Target Results Time Period #6 (current time period)	Currently using, considering using in future, no longer using
DORWay Phase III.	Input/Activity Measure	Agency Selected	July - June	Actual: DNE	DNE	DNE	DNE	DNE	8,828		
Percentage completion rate of DORWay, Phase III, transaction testing.	Input/Activity Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	DNE	DNE	100%	100%	Currently Using
Percentage of external security assessments and audits passed successfully.	Outcome Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	DNE	100%	100%	100%	Currently Using
Percentage completion rate of MyDORWay assessment of DORWay, Phase III.	Efficiency Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	DNE	DNE	95%	97%	Currently Using
Percentage completion rate of MyDORWay application security scan.	Efficiency Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	DNE	DNE	100%	100%	Currently Using
Percent of new employees fingerprinted and background checked.	Efficiency Measure	Federal government	July - June	Target: DNE	DNE	DNE	DNE	100%	100%	100%	Currently Using
Percentage of existing, active SCDOR employees to complete required security and disclosure trainings.	Efficiency Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	DNE	100%	100%	100%	Currently Using
Number of enhancements made to the security of SCDOR facilities.	Input/Activity Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	10	10	1,424	DNE	Currently Using
Number of formal advisory opinions resolved and published by SCDOR's Policy Division	Output Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	DNE	151	151	DNE	Currently Using
Percentage increase in the number of recipients and subscribers to external communications.	Efficiency Measure	Agency Selected	July - June	Actual: DNE	DNE	DNE	DNE	20%	40%	40%	Currently Using
Number of taxpayer education courses offered and number of participants.	Output Measure	Agency Selected	July - June	Target: DNE	DNE	5 courses	6 courses	500 attendees	500 attendees	5 courses	Currently Using
Percentage of taxpayer's reporting an excellent satisfaction rate for external taxpayer classes attended.	Outcome Measure	Agency Selected	July - June	Actual: DNE	DNE	530 attendees	485 attendees	702 attendees	783 attendees	60%	Currently Using
Number of SCDOR tweets, new twitter followers and links clicked through SCDOR tweets	Outcome Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	121 Tweets	200 Tweets	200 Tweets	56%	Currently Using
Percentage increase in SCDOR website page views.	Output Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	805 New Followers	150 New Followers	150 New Followers	DNE	Currently Using
Percentage increase in SCDOR website users.	Output Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	412 Links Clicked	500 Links Clicked	500 Links Clicked	DNE	Currently Using
SCDOR website bounce rate.	Outcome Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	805 New Followers	198 New Followers	198 New Followers	DNE	Currently Using
Number of DORWay, Phase III, training attendees held.	Input/Activity Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	147	150	150	108	Currently Using
Number of external partners interfacing with DORWay, Phase III.	Input/Activity Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	DNE	700	700	444	Currently Using
	Input/Activity Measure	Agency Selected	July - June	Actual: DNE	DNE	DNE	DNE	DNE	118	95	Currently Using
	Input/Activity Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	DNE	DNE	53	50	Currently Using
	Input/Activity Measure	Agency Selected	July - June	Actual: DNE	DNE	DNE	DNE	DNE	53	53	Currently Using

The contents of this chart are considered sworn testimony from the Agency Director.

Performance Measures
(Study Step 2: Performance)

Performance Measure	Type of Measure:	Agency selected; Required by State; or Required by Federal:	Time Applicable	Target and Actual row labels	Target and Actual Results (Time Period #1)	Target and Actual Results (Time Period #2)	Target and Actual Results (Time Period #3)	Target and Actual Results (Time Period #4)	Target and Actual Results (Time Period #5 – most recent completed time period)	Target Results Time Period #6 (current time period)	Currently using, considering using in future, no longer using
Number of enhancements made to DORWay, Phase II and Phase III.	Input/Activity Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	DNE DNE	1,100 1,351	1351	Currently Using
Number of fax revenue data requests received and responded to.	Input/Activity Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	0 156	0 207	207	Currently Using
Percentage of fax revenue data requests completed within one business day.	Efficiency Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	50% 81%	50% 95%	95%	Currently Using
Number of internal training courses offered to SCDOR employees.	Input/Activity Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	6 5	6 6	7 7	7 8	8	Currently Using
Percentage of employees reporting an excellent satisfaction rate for internal training classes	Efficiency Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	65% 68%	65% 63%	65%	Currently Using
Percentage increase in knowledge resulting from SCDOR's Audit Mentor Program.	Efficiency Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	20% 33%	20% 52%	52%	Currently Using
Number of community outreach opportunities offered to employees.	Input/Activity Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	DNE DNE	12 11	30 30	30 12	12	Currently Using
Percentage of personnel participating in community outreach activities.	Input/Activity Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	40% 40%	40% 20%	20%	Currently Using
Total dollars donated by personnel to community outreach activities.	Outcome Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	\$12,000 \$12,000	\$12,000 \$9,723	\$9,723	Currently Using
Number of boxes of goods donated by personnel to community outreach activities.	Outcome Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	52 52	52 40	40	Currently Using
Average number of health and wellness activities offered each quarter.	Input/Activity Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	DNE DNE	2 1	1	Currently Using
Percentage of employees participating in health and wellness activities.	Input/Activity Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	53% 53%	53% 46%	46%	Currently Using
SCDOR's health and wellness score.	Outcome Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	8 8	DNE DNE	DNE	Currently Using
Number of opportunities provided to personnel to provide input for Strategic and Annual Business Planning.	Input/Activity Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	3 3	3 3	3	Currently Using
Percentage of employees providing Strategic and Process improvement feedback.	Input/Activity Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	50% 48%	50% 45%	45%	Currently Using
Number of employees who participated by providing feedback for Strategic and Annual Business Planning.	Input/Activity Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	457 441	457 400	400	Currently Using
Percentage employee turnover rate	Input/Activity Measure	Agency Selected	July - June	Target: Actual:	12.88% DNE	10.65% DNE	12.06% DNE	DNE 95%	DNE 13.24%	13%	Currently Using
Average monthly equal opportunity goal met.	Efficiency Measure	Agency Selected	July - June	Actual:	94.6%	94.5%	93.9%	95.4%	96%	96%	Currently Using

The contents of this chart are considered sworn testimony from the Agency Director.

Comprehensive Strategic Plan Summary

Agency Responding	Department of Revenue
Date of Submission	5/31/2018

Mission: To administer the revenue and regulatory laws of the State with integrity, effectiveness, and fairness to all taxpayers, while maintaining the highest security and protection of taxpayer information. Legal basis: SC Code of Laws Title 12-4-10

2015-17	
Total # of FTEs available /	Total amount
Total # filled at start of year	Appropriated and
	Authorized to Spend
Available FTEs: 780	\$ 99,715,439
Filled FTEs: 677.25	
Temp/Grant: 0	
Time Limited: 0	
Part Time: 82	

	2017-18
Total # of FTEs available / Total # filled at start of year	Total amount Appropriated and Authorized to Spend
Available FTEs: 779 Filled FTEs: 674.50 Temp/Grant: 0 Time Limited: 0 Part Time: 63	\$ 96,787,860

Amount of remaining	\$ 17,417.686
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Amount remaining	
\$	4643.242

[illegible]

Study Step 1: Agency Legal Directives, Plan and Resources; and Study Step 2: Performance)

[illegible]

Comprehensive Strategic Plan Summary
(Step 1: Agency Legal Direction, Plan and Resources, and Step 2: Performance)

Strategic Objective	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	2036-37	2037-38	2038-39	2039-40	2040-41	2041-42	2042-43	2043-44	2044-45	2045-46	2046-47	2047-48	2048-49	2049-50	2050-51	2051-52	2052-53	2053-54	2054-55	2055-56	2056-57	2057-58	2058-59	2059-60	2060-61	2061-62	2062-63	2063-64	2064-65	2065-66	2066-67	2067-68	2068-69	2069-70	2070-71	2071-72	2072-73	2073-74	2074-75	2075-76	2076-77	2077-78	2078-79	2079-80	2080-81	2081-82	2082-83	2083-84	2084-85	2085-86	2086-87	2087-88	2088-89	2089-90	2090-91	2091-92	2092-93	2093-94	2094-95	2095-96	2096-97	2097-98	2098-99	2099-00	2100-01	2101-02	2102-03	2103-04	2104-05	2105-06	2106-07	2107-08	2108-09	2109-10	2110-11	2111-12	2112-13	2113-14	2114-15	2115-16	2116-17	2117-18	2118-19	2119-20	2120-21	2121-22	2122-23	2123-24	2124-25	2125-26	2126-27	2127-28	2128-29	2129-30	2130-31	2131-32	2132-33	2133-34	2134-35	2135-36	2136-37	2137-38	2138-39	2139-40	2140-41	2141-42	2142-43	2143-44	2144-45	2145-46	2146-47	2147-48	2148-49	2149-50	2150-51	2151-52	2152-53	2153-54	2154-55	2155-56	2156-57	2157-58	2158-59	2159-60	2160-61	2161-62	2162-63	2163-64	2164-65	2165-66	2166-67	2167-68	2168-69	2169-70	2170-71	2171-72	2172-73	2173-74	2174-75	2175-76	2176-77	2177-78	2178-79	2179-80	2180-81	2181-82	2182-83	2183-84	2184-85	2185-86	2186-87	2187-88	2188-89	2189-90	2190-91	2191-92	2192-93	2193-94	2194-95	2195-96	2196-97	2197-98	2198-99	2199-00	2200-01	2201-02	2202-03	2203-04	2204-05	2205-06	2206-07	2207-08	2208-09	2209-10	2210-11	2211-12	2212-13	2213-14	2214-15	2215-16	2216-17	2217-18	2218-19	2219-20	2220-21	2221-22	2222-23	2223-24	2224-25	2225-26	2226-27	2227-28	2228-29	2229-30	2230-31	2231-32	2232-33	2233-34	2234-35	2235-36	2236-37	2237-38	2238-39	2239-40	2240-41	2241-42	2242-43	2243-44	2244-45	2245-46	2246-47	2247-48	2248-49	2249-50	2250-51	2251-52	2252-53	2253-54	2254-55	2255-56	2256-57	2257-58	2258-59	2259-60	2260-61	2261-62	2262-63	2263-64	2264-65	2265-66	2266-67	2267-68	2268-69	2269-70	2270-71	2271-72	2272-73	2273-74	2274-75	2275-76	2276-77	2277-78	2278-79	2279-80	2280-81	2281-82	2282-83	2283-84	2284-85	2285-86	2286-87	2287-88	2288-89	2289-90	2290-91	2291-92	2292-93	2293-94	2294-95	2295-96	2296-97	2297-98	2298-99	2299-00	2300-01	2301-02	2302-03	2303-04	2304-05	2305-06	2306-07	2307-08	2308-09	2309-10	2310-11	2311-12	2312-13	2313-14	2314-15	2315-16	2316-17	2317-18	2318-19	2319-20	2320-21	2321-22	2322-23	2323-24	2324-25	2325-26	2326-27	2327-28	2328-29	2329-30	2330-31	2331-32	2332-33	2333-34	2334-35	2335-36	2336-37	2337-38	2338-39	2339-40	2340-41	2341-42	2342-43	2343-44	2344-45	2345-46	2346-47	2347-48	2348-49	2349-50	2350-51	2351-52	2352-53	2353-54	2354-55	2355-56	2356-57	2357-58	2358-59	2359-60	2360-61	2361-62	2362-63	2363-64	2364-65	2365-66	2366-67	2367-68	2368-69	2369-70	2370-71	2371-72	2372-73	2373-74	2374-75	2375-76	2376-77	2377-78	2378-79	2379-80	2380-81	2381-82	2382-83	2383-84	2384-85	2385-86	2386-87	2387-88	2388-89	2389-90	2390-91	2391-92	2392-93	2393-94	2394-95	2395-96	2396-97	2397-98	2398-99	2399-00	2400-01	2401-02	2402-03	2403-04	2404-05	2405-06	2406-07	2407-08	2408-09	2409-10	2410-11	2411-12	2412-13	2413-14	2414-15	2415-16	2416-17	2417-18	2418-19	2419-20	2420-21	2421-22	2422-23	2423-24	2424-25	2425-26	2426-27	2427-28	2428-29	2429-30	2430-31	2431-32	2432-33	2433-34	2434-35	2435-36	2436-37	2437-38	2438-39	2439-40	2440-41	2441-42	2442-43	2443-44	2444-45	2445-46	2446-47	2447-48	2448-49	2449-50	2450-51	2451-52	2452-53	2453-54	2454-55	2455-56	2456-57	2457-58	2458-59	2459-60	2460-61	2461-62	2462-63	2463-64	2464-65	2465-66	2466-67	2467-68	2468-69	2469-70	2470-71	2471-72	2472-73	2473-74	2474-75	2475-76	2476-77	2477-78	2478-79	2479-80	2480-81	2481-82	2482-83	2483-84	2484-85	2485-86	2486-87	2487-88	2488-89	2489-90	2490-91	2491-92	2492-93	2493-94	2494-95	2495-96	2496-97	2497-98	2498-99	2499-00	2500-01	2501-02	2502-03	2503-04	2504-05	2505-06	2506-07	2507-08	2508-09	2509-10	2510-11	2511-12	2512-13	2513-14	2514-15	2515-16	2516-17	2517-18	2518-19	2519-20	2520-21	2521-22	2522-23	2523-24	2524-25	2525-26	2526-27	2527-28	2528-29	2529-30	2530-31	2531-32	2532-33	2533-34	2534-35	2535-36	2536-37	2537-38	2538-39	2539-40	2540-41	2541-42	2542-43	2543-44	2544-45	2545-46	2546-47	2547-48	2548-49	2549-50	2550-51	2551-52	2552-53	2553-54	2554-55	2555-56	2556-57	2557-58	2558-59	2559-60	2560-61	2561-62	2562-63	2563-64	2564-65	2565-66	2566-67	2567-68	2568-69	2569-70	2570-71	2571-72	2572-73	2573-74	2574-75	2575-76	2576-77	2577-78	2578-79	2579-80	2580-81	2581-82	2582-83	2583-84	2584-85	2585-86	2586-87	2587-88	2588-89	2589-90	2590-91	2591-92	2592-93	2593-94	2594-95	2595-96	2596-97	2597-98	2598-99	2599-00	2600-01	2601-02	2602-03	2603-04	2604-05	2605-06	2606-07	2607-08	2608-09	2609-10	2610-11	2611-12	2612-13	2613-14	2614-15	2615-16	2616-17	2617-18	2618-19	2619-20	2620-21	2621-22	2622-23	2623-24	2624-25	2625-26	2626-27	2627-28	2628-29	2629-30	2630-31	2631-32	2632-33	2633-34	2634-35	2635-36	2636-37	2637-38	2638-39	2639-40	2640-41	2641-42	2642-43	2643-44	2644-45	2645-46	2646-47	2647-48	2648-49	2649-50	2650-51	2651-52	2652-53	2653-54	2654-55	2655-56	2656-57	2657-58	2658-59	2659-60	2660-61	2661-62	2662-63	2663-64	2664-65	2665-66	2666-67	2667-68	2668-69	2669-70	2670-71	2671-72	2672-73	2673-74	2674-75	2675-76	2676-77	2677-78	2678-79	2679-80	2680-81	2681-82	2682-83	2683-84	2684-85	2685-86	2686-87	2687-88	2688-89	2689-90	2690-91	2691-92	2692-93	2693-94	2694-95	2695-96	2696-97	2697-98	2698-99	2699-00	2700-01	2701-02	2702-03	2703-04	2704-05	2705-06	2706-07	2707-08	2708-09	2709-10	2710-11	2711-12	2712-13	2713-14	2714-15	2715-16	2716-17	2717-18	2718-19	2719-20	2720-21	2721-22	2722-23	2723-24	2724-25	2725-26	2726-27	2727-28	2728-29	2729-30	2730-31	2731-32	2732-33	2733-34	2734-35	2735-36	2736-37	2737-38	2738-39	2739-40	2740-41	2741-42	2742-43	2743-44	2744-45	2745-46	2746-47	2747-48	2748-49	2749-50	2750-51	2751-52	2752-53	2753-54	2754-55	2755-56	2756-57	2757-58	2758-59	2759-60	2760-61	2761-62	2762-63	2763-64	2764-65	2765-66	2766-67	2767-68	2768-69	2769-70	2770-71	2771-72	2772-73	2773-74	2774-75	2775-76	2776-77	2777-78	2778-79	2779-80	2780-81	2781-82	2782-83	2783-84	2784-85	2785-86	2786-87	2787-88	2788-89	2789-90	2790-91	2791-92	2792-93	2793-94	2794-95	2795-96	2796-97	2797-98	2798-99	2799-00	2800-01	2801-02	2802-03	2803-04	2804-05	2805-06	2806-07	2807-08	2808-09	2809-10	2810-11	2811-12	2812-13	2813-14	2814-15	2815-16	2816-17	2817-18	2818-19	2819-20	2820-21	2821-22	2822-23	2823-24	2824-25	2825-26	2826-27	2827-28	2828-29	2829-30	2830-31	2831-32	2832-33	2833-34	2834-35	2835-36	2836-37	2837-38	2838-39	2839-40	2840-41	2841-42	2842-43	2843-44	2844-45	2845-46	2846-47	2847-48	2848-49	2849-50	2850-51	2851-52	2852-53	2853-54	2854-55	2855-56	2856-57	2857-58	2858-59	2859-60	2860-61	2861-62	2862-63	2863-64	2864-65	2865-66	2866-67	2867-68	2868-69	2869-70	2870-71	2871-72	2872-73	2873-74	2874-75	2875-76	2876-77	2877-78	2878-79	2879-80	2880-81	2881-82	2882-83	2883-84	2884-85	2885-86	2886-87	2887-88	2888-89	2889-90	2890-91	2891-92	2892-93	2893-94	2894-95	2895-96	2896-97	2897-98	2898-99	2899-00	2900-01	2901-02	2902-03	2903-04	2904-05	2905-06	2906-07	2907-08	2908-09	2909-10	2910-11	2911-12	2912-13	2913-14	2914-15	2915-16	2916-17	2917-18	2918-19	2919-20	2920-21	2921-22	2922-23	2923-24	2924-25	2925-26	2926-27	2927-28	2928-29	2929-30	2930-31	2931-32	2932-33	2933-34	2934-35	2935-36	2936-37	2937-38	2938-39	2939-40	2940-41	2941-42	2942-43	2943-44	2944-45	2945-46	2946-47	2947-48	2948-49	2949-50	2950-51	2951-52	2952-53	2953-54	2954-55	2955-56	2956-57	2957-58	2958-59	2959-60	2960-61	2961-62	2962-63	2963-64	2964-65	2965-66	2966-67	2967-68	2968-69	2969-70	2970-71	2971-72	2972-73	2973-74	2974-75	2975-76	2976-77	2977-78	2978-79	2979-80	2980-81	2981-82	2982-83	2983-84	2984-85	2985-86	2986-87	2987-88	2988-89	2989-90	2990-91	2991-92	2992-93	2993-94	2994-95	2995-96	2996-97	2997-98	2998-99	2999-00	3000-01	3001-02	3002-03	3003-04	3004-05	3005-06	3006-07	3007-08	3008-09	3009-10	3010-11	3011-12	3012-13	3013-14	3014-15	3015-16	3016-17	3017-18	3018-19	3019-20	3020-21	3021-22	3022-23	3023-24	3024-25	3025-26	3026-27	3027-28	3028-29	3029-30	3030-31	3031-32	3032-33	3033-34	3034-35	3035-36	3036-37	3037-38	3038-39	3039-40	3040-41	3041-42	3042-43	3043-44	3044-45	3045-46	3046-47
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Comprehensive Strategic Plan Summary

Soen/Transferred NOT toward Agency's Comprehensive Strategic Plan

LAWS CHART**Jurisdiction**

State
Federal

Type of Law

Statute
Regulation
Proviso

Does law specify a customer?

Yes
No

Does law specify a deliverable?

Yes - Providing report
Yes - Serving on board, commission, or committee
Yes - Other service or product
No

DELIVERABLES CHART**Evaluate Outcome?**

Yes
No

Know annual # of potential customers?

Yes
No

Know annual # of customers served?

Yes
No

Evaluate Customer Satisfaction?

Yes

No

Know cost per unit?

Yes

No

Allowed to Charge for service or product?

Yes
No

Is deliverable provided because...

Require
Allow
Not specifically mentioned in law, but provided to achieve the requirements of the applicable law

PERFORMANCE MEASURES CHART**Currently using, in future, no longer?**

Currently using
Considering using
No longer using

Types of Measure?

Outcome Measure
Efficiency Measure
Output Measure
Input/Activity Measure

Required By?

Agency Selected
State government
Federal government
State government + Agency Selected
Federal government + Agency Selected

STRATEGIC PLAN SUMMARY CHART**Person have input on budget?**

Yes
No

Recurring or one-time?

Recurring

One-Time

State, Federal, or Other?

State
Federal
Other

Indicate whether revenue is generated (by agency through sale of deliverables or application for grants) or received (from state or set federal matching formula)?

Generated by agency
Received from state or set federal match

Does this money remain with the agency or go to the General Fund?

Remain with agency
Go to the General Fund

ORGANIZATIONAL UNIT CHART**Track employee satisfaction?**

Yes
No
DNE

Allow anonymous feedback?

Yes
No
DNE

Jobs require a certification?

Yes
No
DNE

Pay for/provide required certifications?

All
Some
None
DNE

Deliverable

Administer and Collect Taxes or Fees
Furnish Data
Provide a Report
Serve on a Committee or Board
Administration of Fee in Lieu of Taxes
Administer and Collect Taxes or Fees. Develop Tax Forms and Procedures
Provide Assessed Values of Property and/or Determine the Value of Property
Reimburse Counties
Administration of Tax Credit
Determine the tax amount due to cigarettes
Administer and Enforce Taxes and Fees
Formulate and Recommend Laws
Consult and Confer with the Governor on Taxation

HR

Must Incur Cost of Performing Duties
Maintain adequate records
Notify LLR of tax policy changes impacting industries
Perform tax audit functions to promote tax compliance
Must formulate and prescribe rules and instructions to govern County assessors and county boards of tax appeals.
Oversight of County Taxation Matters

From: Virginia Wetzel
Sent: Monday, July 09, 2018 4:29 PM
To: Meredith Cleland; Sherrie McTeer; Mike Sayles; Jason Luther
Cc: Hartley Powell; Laura Watts; Ashley Thomas; Jenna Crum
Subject: LOC Meeting 7.10.18
Attachments: Member Meeting Packet 7.10.18.pdf; LOC Sub Member Profiles.docx; SCDOR LOC Presentation FINAL 7.10.18.pptx

Categories: Discovery Request

Hi Everyone! Our final presentation is attached and has been submitted to the LOC.

Meeting Room Layout:

This meeting room is not designed for the presenters to see slides while presenting. However, the LOC has agreed to bring in a temporary smart board so you guys will be able to see the slides while presenting.

Additional Meeting Resources:

- [Public Meeting Notice](#) (Includes meeting date, time and location)
- Subcommittee Member Packet (Attached)
- LOC Sub Member Profiles (Attached)

See everyone tomorrow.

Virginia

Virginia Wetzel

Legislative Liaison

803-898-5281

Virginia.Wetzel@dor.sc.gov

South Carolina Department of Revenue

Government Services

dor.sc.gov



**Hearing
Exhibit
207**

NOTE: The information in this message and/or attachments may be proprietary and/or confidential, and protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by replying to this message and deleting it from your computer.

Phone Hours: Monday, Tuesday, Thursday, and Friday 8:30 a.m. - 4:45 p.m.; Wednesday 9:30 a.m. 4:45 p.m.
Taxpayer Service Center Hours: Monday-Friday 8:30 a.m. - 5:00 p.m.
SCDOR offices are closed on weekends and state holidays.

ECONOMIC DEVELOPMENT, TRANSPORTATION, AND NATURAL RESOURCES SUBCOMMITTEE MEETING

Tuesday, July 10, 2018

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AGENDA

South Carolina House of Representatives



Legislative Oversight Committee

ECONOMIC DEVELOPMENT, TRANSPORTATION, AND NATURAL RESOURCES SUBCOMMITTEE

The Honorable Bruce W. Bannister, Chair

The Honorable Neal A. Collins

The Honorable Mandy Powers Norrell

The Honorable Robert L. Ridgeway III

Tuesday, July 10, 2018

10:00 a.m.

321 - Blatt Building

Pursuant to Committee Rule 6.8, S.C. ETV shall be allowed access for internet streaming whenever technologically feasible.

AGENDA

- I. Approval of Minutes**
- II. Discussion of the study of the Department of Revenue**
- III. Adjournment**

MINUTES FROM PREVIOUS MEETING

Chair Wm. Weston J. Newton

*First Vice-Chair:
Laurie Slade Funderburk*

Legislative Oversight Committee

*Katherine E. (Katie) Arrington
William K. (Bill) Bowers
Neal A. Collins
MaryGail K. Douglas
William M. (Bill) Hixon
Jeffrey E. (Jeff) Johnson
Robert L. Ridgeway, III
Bill Taylor
John Taliaferro (Jay) West, IV*



South Carolina House of Representatives

*Bruce W. Bannister
Gary E. Clary
Chandra E. Dillard
Phyllis J. Henderson
Joseph H. Jefferson, Jr.
Mandy Powers Norrell
Tommy M. Stringer
Edward R. Tallon, Sr.
Robert Q. Williams*

*Jennifer L. Dobson
Research Director*

*Cathy A. Greer
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Legal Counsel*

*Carmen J. McCutcheon Simon
Research Analyst/Auditor*

*Kendra H. Wilkerson
Fiscal/Research Analyst*

Economic Development, Transportation, and Natural Resources Subcommittee

Monday, June 18, 2018

1:30 p.m.

Blatt Room 108

Archived Video Available

- I. Pursuant to House Legislative Oversight Committee Rule 6.8, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

Attendance

- I. The Economic Development, Transportation, and Natural Resources Subcommittee meeting was called to order by Chair Bruce W. Bannister on Monday, June 18, 2018, in Room 108 of the Blatt Building. The following other members of the Subcommittee were present for either all or a portion of the meeting: Representative Mandy Powers Norrell and Representative Robert L. Ridgeway III.

Minutes

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings. It is the practice of the Legislative Oversight Committee to provide minutes for its subcommittee meetings.

- II. Representative Ridgeway makes a motion to approve the minutes from the April 11, 2018, meeting. A roll call vote is held, and the motion passes.

Rep. Ridgeway's motion to approve the minutes from the April 11, 2018, meeting:	Yea	Nay	Not Voting
Rep. Collins			✓ (absent)
Rep. Norrell	✓		
Rep. Ridgeway	✓		
Rep. Bannister	✓		

Discussion of the Department of Revenue (DOR)

- I. Chair Bannister reminds DOR Director W. Hartley Powell that he remains under oath. He then administers the oath to the following DOR employees:
- Meredith Cleland, Deputy Director, Government Services
 - Jenna Crum, Human Resources Director
 - Matthew Norman, Controller
 - Ashley Thomas, Deputy Director, Communications and Strategic Initiatives
 - Laura Watts, Deputy Director, Administrative Services
- II. Director Powell provides testimony on the following topics:
- Key staff
 - Agency history
 - Vision and mission
 - Goals
 - Stakeholders
 - Resources
 - Tax processing and collections
 - Audits and appeals
 - Taxpayer services
 - Litigation, policy, and licensing
 - Agency organization
 - Internal audit
 - Successes, challenges, and emerging issues
 - Recommended law changes

Subcommittee members ask questions during and after the Director's testimony. Director Powell and other agency staff respond.

- III. There being no further business, the meeting is adjourned.

STUDY TIMELINE: S.C. DEPARTMENT OF REVENUE

2017

December 19, 2017

Full committee votes to make SCDOR the next agency for the Economic Development, Natural Resources, and Transportation Subcommittee to study. [Video](#) and [minutes](#) of the meeting are available online.

2018

January 23 – March 1, 2018

Committee solicits input from the public about the agency in the form of an **online public survey**. The [results of the public survey](#) are available online.

March 1, 2018

Committee holds **public input meeting (Meeting #1)** about this and other agencies.

May 31, 2018

SCDOR submits its Program Evaluation Report to the Committee.

June 18, 2018

Subcommittee meets with agency (**Meeting #2**) to discuss the agency's history; legal framework; mission; vision; organizational structure; deliverables and customers; resources; relationships with other agencies; and goals.

July 10, 2018

(TODAY) Subcommittee meets with agency (**Meeting #3**) to discuss the following agency divisions: Government Services, Taxpayer and Business Services, Security and Information Technology Services, and Litigation and Appeals

Ongoing

Public may submit written comments on the Oversight Committee's webpage, accessed from www.scstatehouse.gov.

SCDOR STRATEGIC PLAN

		# of FTEs Utilized	Amount Spent/ Budgeted	% of Total Budget
Goal 1 - Fairly administer and enforce the revenue and regulatory laws of the State of South Carolina.	FY17	525	\$59,271,933	59%
	FY18	535	\$71,014,994	73%
Strategy 1.1 - Increase tax compliance of all taxpayers.	FY17	490	\$55,672,510	56%
	FY18	500	\$62,476,715	65%
Objectives: 1.1.1 - Collect tax revenue in support of the State's General Fund. 1.1.2 - Reduce debt owed to South Carolina organizations and governmental entities by expanding external stakeholder partnerships. 1.1.3 - Ensure equity across South Carolina taxpayers by pursuing non-compliant taxpayers through fair identification, audit, and litigation. 1.1.4 - Increase taxpayer awareness and compliance through outreach and by simplifying filing and payment methods.				
Strategy 1.2 - Protect taxpayers and State revenues by enhancing fraud prevention & detection.	FY17	20	\$2,110,845	2%
	FY18	20	\$3,538,279	4%
Objectives: 1.2.1 - Increase the prevention rate of fraudulent tax refunds distributed. 1.2.2 - Increase employee and public awareness of personal protection strategies to prevent fraud.				
Strategy 1.3 - Consolidate SCDOR's multiple tax processing systems into one efficient system, known as DORWay.	FY17	15	\$1,488,578	1%
	FY18	15	\$5,000,000	5%
Objectives: 1.3.1 - Monitor and refine the taxes transitioned to DORWay in Phase I (FY15) and Phase II (FY16). 1.3.2 - Prepare for and implement Phase III of DORWay, scheduled for rollout in September of 2017. 1.3.3 - Prepare for Phase IV of DORWay, scheduled for rollout in September of 2018.				

		# of FTEs Utilized	Amount Spent/ Budgeted	% of Total Budget
Goal 2 – Ensure taxpayer security by utilizing state-of-the-art technology.	FY17	37	\$15,034,219	15%
	FY18	37	\$13,034,625	13%
Strategy 2.1 - Cultivate an increasingly mature security governance Program.	FY17	5	\$1,926,359	2%
	FY18	5	\$2,000,000	2%
Objectives: 2.1.1 - Achieve satisfactory results from each external regulatory body performing a security assessment or audit. 2.1.2 - Increase employee knowledge by providing in-class and e-learning training opportunities regarding security and disclosure. 2.1.3 - Perform oversight of partners and vendors.				
Strategy 2.2 - Increase efficiency and security by effectively utilizing state-of-the-art security technology and processes.	FY17	30	\$6,321,544	6%
	FY18	30	\$6,495,000	7%
Objectives: 2.2.1 - Ensure security resources (appliances, hardware, software, etc) are fully leveraged. 2.2.2 - Provide flexibility to Agency business operations by streamlining security processes. 2.2.3 - Increase taxpayer customer service by reducing the "time to market" for new products and services. 2.2.4 - Maintain and enhance employee and stakeholder safety in the workplace.				
Strategy 2.3 - Increase security by consolidating multiple antiquated tax processing systems through the implementation of DORWay.	FY17	2	\$6,786,316	7%
	FY18	2	\$4,539,625	5%
Objectives: 2.3.1 - Conduct a Risk Assessment of DORWay, Phase III, and achieve a score of 95% or greater. 2.3.2 - Complete an Application Security Scan of MyDORWay (online taxpayer portal). 2.3.3 - Complete an access review of DORWay users.				

		# of FTEs Utilized	Amount Spent/ Budgeted	% of Total Budget
Goal 3 – Maintain a positive customer service experience for all stakeholders.	FY17	101	\$6,823,448	7%
	FY18	111	\$6,910,000	7%
Strategy 3.1 - Increase taxpayer satisfaction by enhancing how the Agency interfaces with customers.	FY17	50	\$2,326,291	2%
	FY18	50	\$2,350,000	2%
Objectives: 3.1.1 - Maintain a positive customer satisfaction score as reported through an independent third party surveyor. 3.1.2 - Enhance the customer service experience for stakeholders who utilize the Agency's public facing teams (i.e., Call Center, TAO, etc.). 3.1.3 - Increase employee knowledge by providing in-class and e-learning training opportunities regarding Phase III of DORWay.				
Strategy 3.2 - Streamline tax processing to ensure effective, accurate, and timely service for all taxpayers.	FY17	44	\$3,694,291	4%
	FY18	54	\$3,750,000	4%
Objectives: 3.2.1 - Increase the % of total tax returns received electronically. 3.2.2 - Increase taxpayer usage of the MYDORWay portal. 3.2.3 - Increase tax payments and license fees received electronically.				
Strategy 3.3. - Increase customer satisfaction by offering assistance through the interpretation & dissemination of tax law.	FY17	7	\$802,866	1%
	FY18	7	\$810,000	1%
Objectives: 3.3.1 - Offer formal and informal legal interpretation of tax laws to advocate taxpayer compliance. 3.3.2 - Increase customer satisfaction by disseminating information to taxpayers to advocate tax compliance.				

		# of FTEs Utilized	Amount Spent/ Budgeted	% of Total Budget
Goal 4 – Promote and maintain a competent, productive, and diverse workforce.	FY17	16	\$1,168,154	1%
	FY18	21	\$1,185,000	1%
Strategy 4.1 - Recruit and develop a competent, productive, and diverse workforce.	FY17	9	\$712,892	0.7%
	FY18	12	\$725,000	0.7%
Objectives: 4.1.1 - Recruit and hire candidates that meet or exceed the minimum qualifications to ensure Agency needs are met and sustained. 4.1.2 - Increase employee knowledge by providing in-class, e-learning, and mentoring training opportunities. 4.1.3 - Support employee advancement through the attainment of relevant industry credentials. 4.1.4 - Continuously review and enhance succession planning efforts.				
Strategy 4.2 - Value and retain a competent, productive, and diverse workforce.	FY17	7	\$455,262	0.5%
	FY18	9	\$460,000	0.5%
Objectives: 4.2.1 - Increase the % of employee evaluations (EPMS) completed by the due date. 4.2.2 - Enhance the Agency's competitiveness in the marketplace by conducting salary studies. 4.2.3 - Promote employee participation in health, wellness, and community outreach opportunities. 4.2.4 - Meet or exceed State diversity goals.				

SCDOR ORGANIZATIONAL STRUCTURE



Figure 1. SCDOR divisions, as provided by SCDOR on June 15, 2018.

Table 2. SCDOR organizational units, as reported by the agency in its PER.

Organizational Unit	Divisions Included	Year	Turnover rate in the org unit	Employee satisfaction tracked?	Anonymous feedback allowed?	Did any of the jobs in the org unit require a certification?	If yes, did the agency pay for or provide education requirements for certification?
I. Administrative and Program Support	- Internal Audit - Security (<i>partial division</i>) - Communications and Strategic Initiatives	2014-15:	7.69%	✓	✓	No	
		2015-16:	0.00%	✓	✓	No	
		2016-17:	6.67%	No	No	No	
II.A Support Services	- Administrative Services - Information Technology Services (<i>partial division</i>)	2014-15:	23.53%	✓	✓	✓	✓
		2015-16:	17.76%	✓	✓	✓	✓
		2016-17:	8.40%	No	No	✓	✓
II. B Revenue and Regulatory	- Field Operations - Taxpayer & Business Services - Government Services - Litigation and Appeals	2014-15:	12.42%	✓	✓	✓	✓
		2015-16:	10.90%	✓	✓	✓	✓
		2016-17:	14.34%	No	No	✓	✓
II.C Legal, Policy and Legislation	Policy, Privacy, and Procurement	2014-15:	0.00%	✓	✓	✓	✓
		2015-16:	0.00%	✓	✓	✓	✓
		2016-17:	37.50%	No	No	✓	✓

GOVERNMENT SERVICES DIVISION

Deputy Director

Meredith Cleland

Number of Employees

46 FTEs

Related Goals

- 1 Fairly administer and enforce the revenue and regulatory laws of the State of South Carolina.
- 3 Maintain a positive customer service experience for all stakeholders.

Related Deliverables

Deliverable numbers correspond to the deliverables chart in the agency's PER. See Table 3 for details on each deliverable.

63	Administer, Enforce, and/or Collect Taxes and Fees
	• Local option sales tax • Capital project sales tax • Local sales tax • Tourism development fee • Local option transportation tax • Homestead exemption
174	Protect Taxpayers' Rights
184	Assist Local Governments Related to Property Taxes
230	Assist the Catawba Indian Tribe with the Administration of Taxes
255	Collect a Tax/Fee and Remit Revenue to a State or Local Governmental Entity or Non-Governmental Entity
322	Support State Government
336	Establish Partnerships to Promote Tax Compliance and Simplify Tax Administration
341	Establish Procedures for Disagreements
358	Notify Taxpayers and External Stakeholders
372	Provide a Report
388	Serve on a Committee or Board
393	Support Local Governments

Table 3. Applicable laws for the Government Services Division's deliverables, as provided by SCDOR in its PER (emphasis added).

# from PER	Applicable Law	Summary of Requirement
63	Administer, Enforce, and/or Collect Taxes and Fees	
64	4-10-90(A)	SCDOR shall administer and collect the local sales and use tax in the manner that statewide sales and use taxes are collected and administered. (Local Option Sales Tax)
65	4-10-350(A)	SCDOR must administer and collect the Capital Project Sales Tax in the same manner that other sales and use taxes are collected.
66	4-10-360	SCDOR shall deposit with the State Treasurer all collections to be credited to a separate account.
67	4-10-580(A)	SCDOR must administer and collect local sales tax in the same manner that other sales taxes are collected.
68	4-10-770	SCDOR must administer and collect the local option sales and use tax for local property tax credits, if imposed by a county, in the same manner that other sales and use taxes are collected.
69	4-10-940 (B)	SCDOR must administer and collect the Tourism Development Fee in the same manner as the Sales and Use Tax.
70	4-12-30(B)(3)	SCDOR shall designate by December thirty first of each year the counties qualifying for the reduced fee-in-lieu threshold requirement .
71	4-12-30 (O)(8)	SCDOR shall develop applicable forms and procedures for handling and processing extension requests .
72	4-37-30 (A)(8)	The Local Option Transportation tax levied pursuant to this section must be administered and collected by SCDOR in the same manner that other sales and use taxes are collected.
77	12-4-310(2)	SCDOR shall formulate and recommend legislation to enhance uniformity, enforcement, and administration of the tax laws, and secure just taxation and improvements in the system of taxation.
121	12-37-250(A)(4)	SCDOR must approve forms for the homestead exemption . SCDOR shall direct the auditor to notify municipalities of all applications for the homestead exemption within the municipality and the information necessary to calculate the amount of the exemption.
122	12-37-250(G)	SCDOR shall develop advisory opinions as may be necessary to carry out the homestead exemption provisions.
123	12-37-255(C)	SCDOR must withhold from the next disbursement of state funds to a county or municipality the amount of tax and penalties related to improperly granted homestead exemptions .
124	12-37-266(A)	SCDOR must approve forms used by a trustee who holds legal title to a dwelling in order to apply for a homestead exemption .
125	12-37-266(B)	SCDOR shall reimburse the taxing entity for the taxes not collected by reason of the homestead exemption .
126	12-37-270(A)	SCDOR from the Trust Fund for Tax Relief shall annually pay to the county or municipality in which a dwelling is located a sum equal to the taxes not collected because of the homestead exemption .
127	12-37-270(B)	SCDOR shall purchase and distribute the applications for the homestead exemption and the costs must be paid from the trust fund.

# <i>from PER</i>	Applicable Law	Summary of Requirement
128	12-37-735 (B)	SCDOR must design a form in which a transferor assumes personal liability for his share of the taxes when property is transferred .
129	12-37-1610	SCDOR shall prescribe a form for property filings of railroads .
130	12-37-2120	SCDOR prescribes form on which carlines pay property taxes.
135	12-60-2150 (F)	SCDOR shall consider any claim, determine the correct property tax assessment and issue any necessary orders. All appeals before SCDOR must be conducted as provided in Section 12-60-450 (C) through (E).
148	44-96-160(Y)	SCDOR shall promulgate regulations necessary to implement the provisions.
170	Regulation - 117-1720.2(A)	SCDOR shall annually make a ratio study of all the counties in the State to determine level of appraisal as provided in Section 12-43-250.
171	Regulation - 117-1740.1	SCDOR directs what information must be contained in a building permit .
174	Protect Taxpayers' Rights	
175	12-58-30	SCDOR shall establish the position of the taxpayer advocate . The taxpayer advocate is responsible for facilitating resolution of taxpayer's complaints and problems.
176	12-58-40	SCDOR shall develop and implement a taxpayer education and information program .
184	Assist Local Governments Related to Property Taxes	
185	4-12-30(D)(2)(a)(i)	In certain special instances, SCDOR must determine the value of property subject to the fee-in-lieu of taxes.
186	4-29-67(D)(2)(a)(iii)	SCDOR must determine a fair market value estimate of the value of the property using the procedure in the statute and must determine the value of real property subject to the fee under certain conditions. In certain special instances.
187	4-29-67 (S)(7)	SCDOR shall develop applicable forms and procedures for handling and processing fee-in-lieu extension requests .
188	6-1-85 (A)	SCDOR shall provide assessed values and fair market values of properties collected in accordance with 59-20-20 to the Office of Research and Statistics of the Revenue and Fiscal Affairs Office.
189	12-4-510(2)	In order to administer effectively the equitable assessment of property for taxation, SCDOR shall make the levy upon the assessed value of property subject to tax necessary to raise the annual appropriations made by the General Assembly as it relates to private carlines and flight equipment .
190	12-4-520(1)	SCDOR shall call meetings of all county assessors , to provide instruction as to the law governing the assessment and taxation of all classes of property. SCDOR shall formulate and prescribe rules to govern assessors and county boards of tax appeals in the discharge of their duties.
191	12-4-520(2)	SCDOR shall confer with, advise, and direct assessors and county boards of tax appeals as to their duties.

# <i>from PER</i>	Applicable Law	Summary of Requirement
192	12-4-520(5)	SCDOR shall require county auditors to place upon the assessment rolls omitted property that may have escaped taxation in the current or previous years.
193	12-4-540(A)	SCDOR has sole responsibility for the appraisal, assessment, and equalization of the taxable values of corporate headquarters, corporate office facilities, and distribution facilities and of the real and personal property owned by or leased by manufacturing, railway, private carline, airline, water, heat, light and power, telephone, cable television, sewer, pipeline, and mining businesses in the conduct of their business. SCDOR has sole responsibility for the appraisal, assessment, and equalization of the taxable values of the personal property of merchants .
194	12-4-540(D)	SCDOR shall assess all real and personal property , leased or used, to the owner, except as otherwise provided.
195	12-4-550(1)	SCDOR shall require municipal, county, and other public officers to report information as to the assessment of property, collection of taxes, receipts from licenses and other sources, and information necessary in the work of SCDOR.
196	12-4-550(2)	SCDOR shall require all persons to furnish information concerning their capital, bonded or other debts, current assets and liabilities, value of property, earnings, operating and other expenses, taxes, and other facts necessary for SCDOR to ascertain the value and relative tax burden borne by all kinds of property.
197	12-4-560	SCDOR shall prepare appropriate manuals, guides, and other aids for the equitable assessment of all properties and prepare suitable forms for an adequate listing and description of property by groups and classes.
198	12-4-710	SCDOR shall determine if any property qualifies for exemption from local property taxes under Section 12-37-220, except for the exemption provided by 12-37-220(A)(9) in accordance with the Constitution and general laws. This determination must be made on an annual basis and the appropriate county official advised by SCDOR by June first of each year.
199	12-4-730	SCDOR shall certify a property tax exemption on real and personal property to the auditor's office in the county for those approved.
200	12-37-970	SCDOR determines assessment of merchants' property and other business personal property and must supply these assessments to the counties.
201	12-37-1680	SCDOR shall proceed to ascertain value of railroads when railroad companies refuse to file.
202	12-37-2000	SCDOR shall examine statements filed by telegraph and telephone companies .
203	12-37-2130	SCDOR shall annually assess the valuation of all private cars of each private car company.
204	12-37-2140	SCDOR must determine valuation of carlines .
205	12-37-2150	SCDOR shall levy against carlines and determine average levy for all purposes in state.

# <i>from PER</i>	Applicable Law	Summary of Requirement
206	12-37-2430	SCDOR shall annually assess, adjust, equalize and apportion the valuation of all aircraft in this State.
207	12-37-2450	SCDOR shall annually levy tax against the value of aircraft so determined and collect the tax.
208	12-37-2680	SCDOR must provide motor vehicle guides to counties.
209	12-37-3150(A)(8)	SCDOR shall provide the form used to notify the tax assessor after a conveyance of an ownership interest that constitutes an assessable transfer of interest .
210	12-37-3160(A)	SCDOR shall examine the substance rather than merely the form of the transfer in determining whether an assessable transfer of interest has occurred.
211	12-37-3160(B)	SCDOR must prescribe the certificate that is contained with the property tax notice which certifies the details of the ownership of property.
212	12-39-15(A)	SCDOR must establish the content, cost and dates of continuing education courses that county auditors must complete.
213	12-39-150	SCDOR must prescribe the manner in which county auditors must list in a book all taxable property in the county and the value of it as equalized.
214	12-39-180	SCDOR must provide statements of the rates and sums to be levied for the current year to be used by county auditors . SCDOR shall prescribe the manner and form by which county auditors must list the property for taxation. SCDOR or the county auditor must place a minimum assessment of at least twenty dollars on all personal property that generates a tax bill.
215	12-39-350	When notified by the county auditor of property which is required by law to be assessed has been omitted, SCDOR shall appraise and assess the omitted personal property .
216	12-43-220 (g)	SCDOR must apply an equalization factor to real and personal property owned by or leased to transportation companies for hire as mandated by federal legislation.
217	12-43-224(3)	SCDOR must approve forms for discounted values which must be applied for subdivided lots with the local assessor.
218	12-43-230(a)	SCDOR shall provide by regulation a more detailed definition of agricultural real property consistent with the general definition set forth in this section which will be used by the county assessors.
219	12-43-230 (d)(3)	SCDOR must approve forms to be used for application of special valuation with the assessor for homeowners associations .
220	12-43-300	SCDOR shall prescribe a standard reassessment form designed to contain information required in Section 12-60-2510(A)(1).
221	12-44-50(A)(1)(c)(i)	In certain special instances, SCDOR must determine the value of property subject to the fee.
222	12-44-90(H)	SCDOR must develop forms and procedures for processing fee-in-lieu extension requests .
223	12-45-15(A)	SCDOR must establish the content, cost and dates of annual continuing education courses that county treasurers must complete.

# <i>from PER</i>	Applicable Law	Summary of Requirement
224	12-45-17	SCDOR must establish the content, cost and dates of annual continuing education courses that county tax collectors must complete.
225	12-45-70(A)	SCDOR must direct and supervise the manner in which the county treasurer should collect taxes as prescribed by law.
226	40-60-35 (A)(2)	Assessors and other staff responsible for the assessment of property must receive seven hours of instructions each year. This instruction must be received from SCDOR or other providers or courses approved by the Department of Labor, Licensing and Regulation.
227	Regulation - 117-1740.3	SCDOR directs what information must be kept by counties in order to value property for property tax purposes.
228	Regulation - 117-1740.4	SCDOR must provide forms to all counties for the purpose of providing information for ratio studies. SCDOR must also approve the forms for submission of information in an electronic form.
229	Regulation - 117-1840.2 (C)	SCDOR is responsible for implementing the use value procedures for timberland and cropland .
230	Assist the Catawba Indian Tribe with the Administration of Taxes	
233	27-16-130(D)(4)	If the Tribe chooses to assess a tribal real property tax , SCDOR shall provide necessary assistance.
234	27-16-130(F)(1)	A political subdivision may certify the deficiency of payment of property taxes to the State and the State shall levy against other taxable property of the taxpayer in the State and remit the proceeds to the appropriate taxing authority.
255	Collect a Tax/Fee and Remit Revenue to a State or Local Governmental Entity or Non-Governmental Entity	
290	12-37-2850	SCDOR must assess and collect property taxes on motor carriers and remit collections to the State Treasurer's Office and the State Treasurer's Office makes disbursements in accordance with SC Code Sec. 12-37-2870
322	Support State Government	
323	3-11-400(C)(3)(b)(iii)	SCDOR must make the information reported from gambling vessels available on a quarterly basis to: the county or municipality from which the gambling vessel originates, the general public, the Governor, President Pro Tempore of the Senate and the Speaker of the House.
324	11-9-820 (D)	SCDOR must provide to the Board of Economic Advisors by November tenth a report of the amount of tax credits claimed and magnetic tapes containing data from all state individual and corporate income tax filings from the previous year.
325	11-11-10	SCDOR shall furnish information as requested from the Executive Budget Office and Fiscal Affairs Office , and shall be present at all hearings before the committees having charge of the appropriations in the Senate and the House.

# <i>from PER</i>	Applicable Law	Summary of Requirement
335	109.1	(SCDOR: Educational Credit for Exceptional Needs Children) The board and SCDOR Director will appoint an executive director. SCDOR will support the board and will administer donor tax credits. SCDOR is required to complete the mandated reports regarding Exceptional SC.
336	Establish Partnerships to Promote Tax Compliance and Simplify Tax Administration	
337	12-4-310(3)	SCDOR shall consult and confer with the Governor upon the subject of taxation, the administration of the laws, and the progress of the work of the department, and furnish the Governor reports, assistance, and information he may require.
341	Establish Procedures for Disagreements	
350	12-60-1720	SCDOR shall prescribe rules and procedures it considers appropriate to administer property tax protests .
351	12-60-1730	SCDOR shall provide protest forms to county assessors for property assessments. The use of these forms is not mandatory.
358	Notify Taxpayers and External Stakeholders	
362	12-60-2140(A)	SCDOR shall notify the county auditor where the property is located to adjust the property tax assessment under protest to eighty percent if the appeal is not reasonably expected to be resolved by December thirty first.
363	12-60-2150 (B)	SCDOR shall notify the counties affected by any claim for refund of property tax.
372	Provide a Report	
373	11-44-70(D)	SCDOR shall report by March thirty first each year to the House Ways and Means Committee, the Senate Finance Committee, and the Governor, by county, the number of angel investor tax credit applications SCDOR has received, the number of applications approved and the tax credits approved. The report must be available in a conspicuous place on SCDOR's website.
374	12-4-310(4)	SCDOR shall prepare and publish, annually, statistics reasonably available with respect to the operation of the department, including amounts collected, and other facts it considers pertinent and valuable.
375	12-4-380	SCDOR shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee, within thirty days of final settlement, the details of all tax liabilities reduced by order of the director .
376	12-20-105 (H)	SCDOR shall report to Senate Finance, House Ways and Means and Department of Commerce the history of the license tax credit pursuant to this section.
377	12-21-735(J)	SCDOR must report by March fifteenth of each year to Senate Finance and House Ways and Means the costs associated with the operation of the cigarette tax stamp program .
378	12-58-50 (B)	SCDOR shall annually publish a report of recommendations for improving taxpayer compliance and uniform administration.

# <i>from PER</i>	Applicable Law	Summary of Requirement
380	59-20-20(3)	SCDOR shall exclude an imputed value of impact aid receipts from the Index of Taxpaying Ability . The Index must be determined annually from sales ratio data. SCDOR shall provide a preliminary Index by December first of each year and a final Index by February first to the Department of Education and to each auditor of each county. SCDOR shall adjust the Index in the year in which an appeal is resolved. The data gathered by SCDOR to determine the Index must be preserved as public records in the offices of SCDOR for four years. SCDOR shall file a statement stating the methodology employed in making the annual determination of the Index. All worksheets, computer printouts, the actual calculation, appraisals and all working papers must be preserved as part of the public record. SCDOR must use only reported consideration on sales for which deeds have been placed on public record. SCDOR shall make appraisals where sales data is not available . The value of a fee-in-lieu of taxes shall be computed by SCDOR basing the computation on the net fee received and retained by the school district.
381	61-6-80	SCDOR shall file annual reports with the Governor and the General Assembly.
382	118. 10(c)	(SR: Tax Deduction for Consumer Protection Services) (C) By March fifteenth of each year, SCDOR shall issue a report to the Governor and the General Assembly detailing the number of taxpayers claiming the deduction allowed by this item in the most recent tax year for which there is an accurate figure, and the total monetary value of the deductions claimed pursuant to this item in that same year. (D) SCDOR shall prescribe the necessary forms to claim the deduction allowed by this section. SCDOR may require the taxpayer to provide proof of the actual costs and the taxpayer's eligibility.
388	Serve on a Committee or Board	
389	11-9-820 (A)(1)(d)	The Director of SCDOR shall serve as an ex officio member with no voting rights on the Board of Economic Advisors (BEA), a division of the Revenue and Fiscal Affairs Office.
393	Support Local Governments	
394	4-10-90(C)	SCDOR shall furnish data to the State Treasurer and to the governing bodies of the counties and municipalities receiving revenues for the purpose of calculating distributions and estimating revenues. The information which may be supplied to counties and municipalities includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers. (Local Option Sales Tax)
395	4-10-370	SCDOR shall furnish data to the State Treasurer and to county treasurers receiving revenues for the purpose of calculating distributions and estimating revenues (Capital Project Sales Tax).
396	4-10-450	SCDOR shall furnish data to the State Treasurer and to a school district and others receiving tax revenues pursuant to this article for the purpose of calculating distributions and estimating revenues. (Education Capital Improvement Sales Tax)

# <i>from PER</i>	Applicable Law	Summary of Requirement
397	4-10-960	SCDOR shall furnish data to the State Treasurer and to the municipal treasurers receiving revenues for the purpose of calculating distributions and estimating revenues.
398	4-37-30 (A)(16)	SCDOR shall furnish data to the State Treasurer and to the counties receiving revenues for the purpose of calculating distributions and estimating revenues.
399	6-1-810	SCDOR shall share data helpful to both the department and the implementing jurisdiction regarding the enforcement of accommodation tax laws (Fairness in Lodging Acts).
400	11-11-156 (5)(b)	SCDOR must reimburse the county treasurer for Homestead Exemption credits of each school district in the county.
401	12-4-310(5)	SCDOR shall make available to the authorities of a political subdivision information reported to SCDOR pursuant to the requirements of Chapter 36 of this title of businesses licensed under Section 12-36-510 in the requesting political subdivision.
402	12-4-310(10)	SCDOR shall make gross receipts or net taxable sales figures reported to SCDOR available to municipalities or counties levying a tax based on gross receipts or net taxable sales.
403	12-4-310(11)	SCDOR shall provide data and assistance to municipalities and counties in which Article 8, Chapter 1, Title 6, the Fairness in Lodging Act, is implemented.
404	12-21-6550(B)	SCDOR shall notify the county or municipality in writing if a certification application is approved.
405	12-37-280(A)	SCDOR must make reimbursements to local governments for the homestead exemption on an annual basis.
406	12-37-450(A)	SCDOR shall make reimbursements for the inventory exemption to counties and municipalities in four equal payments. Counties and municipalities must be reimbursed for the inventory exemption based on the 1987 tax year millage and 1987 tax year assessed values for inventories.
407	12-43-250	SCDOR shall make sales ratio studies in all counties of the State.
409	31-17-340	SCDOR shall prescribe forms necessary to issue mobile home decals .
410	31-17-370	SCDOR shall prescribe forms necessary for moving permits on mobile homes and how it should be displayed.
411	Section 8. Act No. 355 of 2004: Clarendon School District Tax	SCDOR, the State Department of Education, and the Clarendon County Auditor shall furnish data to the State Treasurer, the county treasurer, and to the school districts receiving tax revenues pursuant to this act for the purpose of calculating distributions and estimating revenue. The information that must be supplied to Clarendon County school districts upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers.

# <i>from PER</i>	Applicable Law	Summary of Requirement
412	Section 7. Act No. 588 of 1994: Cherokee School District Tax	SCDOR shall furnish data to the State Treasurer and to the school districts receiving tax revenues pursuant to this act for the purpose of calculating distributions and estimating revenues. The information which must be supplied to Cherokee County School District 1 upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers.
413	Section 8. Act No. 132 of 2003: Darlington School District Tax	SCDOR shall furnish data to the State Treasurer and to the school districts for the purpose of calculating distributions and estimating revenues. The information which must be supplied to the school district upon request, includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers.
414	Section 1(H). Act No. 146 of 2001: Jasper School District Tax	SCDOR shall furnish data to the State Treasurer and to the district for the purpose of calculating distributions and estimating revenues. The information which must be supplied to the district upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers.
415	Section 9. Act No. 426 of 2006: Lee School District Tax	SCDOR, the State Department of Education, and the Lee County Auditor shall furnish data to the State Treasurer, the county treasurer, and to the governing body for the purpose of calculating distributions and estimating revenues. The information that must be supplied to the governing body upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers.
416	Section 8. Act No. 378 of 2004: Lexington School District Tax	SCDOR shall furnish data to the State Treasurer and to the school districts receiving tax revenues pursuant to this act for the purpose of calculating distributions and estimating revenues. The information which must be supplied to each school district upon request, includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers.
417	Regulation - 117-1720.3	SCDOR must supply a copy of the final index of taxpaying ability to the Department of Education and the auditor of each county on or before February first.
418	1.48	(SDE: Impute Index Value) For the current fiscal year and for the purposes of calculating the index of taxpaying ability the SCDOR shall impute an index value for owner-occupied residential property qualifying for the special four percent assessment ratio. The SCDOR shall not include sales ratio data in its calculation of the index of taxpaying ability.

Note:

SCDOR reported that all of its deliverables are required by law, and that for every one, it:

- Evaluates the outcome obtained by customers/individuals who receive the service or product;
- Knows the number of potential and actual customers served annually;
- Evaluates customer satisfaction; and
- Knows the cost it incurs per unit to provide the service or product.

Related Performance Measures

Table 4. Performance Measures for the Government Services Division, as reported by SCDOR in its PER.

Performance Measure	Type of Measure:	Required or Selected?	Time Period		Time Period 1	Time Period 2	Time Period 3	Time Period 4	Time Period 5 (most recently completed)	Time Period 6 (current time period)
Total SCDOR General Fund Tax Revenue Collections (Dollars in Billions)	Outcome Measure	Agency Selected	July - June	Target:	DNE	\$9.10	\$10.50	\$10	\$7.75	\$8.12
				Actual:	\$8.90	\$9.10	\$10.50	\$10.90	\$7.78	
Total SCDOR Other Fund Tax Revenue Collections (Dollars in Billions)	Outcome Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	DNE	\$3.90	\$3.90
				Actual:	Reported above	Reported above	Reported above	Reported above	\$3.90	
Number of community outreach opportunities offered to employees.	Input/Activity Measure	Agency Selected	July - June	Target:	DNE	DNE	12	30	30	12
				Actual:	DNE	DNE	11	30	12	
Percentage of personnel participating in community outreach activities.	Input/Activity Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	40%	40%	20%
				Actual:	DNE	DNE	DNE	40%	20%	
Total dollars donated by personnel to community outreach activities.	Outcome Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	\$12,000	\$12,000	\$9,723
				Actual:	DNE	DNE	DNE	\$12,000	\$9,723	
Number of boxes of goods donated by personnel to community outreach activities.	Outcome Measure	Agency Selected	July - June	Target:	DNE	DNE	DNE	52	52	40
				Actual:	DNE	DNE	DNE	52	40	

TAXPAYER AND BUSINESS SERVICES DIVISION

Deputy Director

Sherrie McTeer

Number of Employees

334 FTEs

Related Goals

- 1 Fairly administer and enforce the revenue and regulatory laws of the State of South Carolina.
- 3 Maintain a positive customer service experience for all stakeholders.

Related Deliverables

Deliverable numbers correspond to the deliverables chart in the agency's PER. See Table 5 for details on each deliverable.

1	Administer a License or Issue a Certificate to Operate a Place of Business or Sell a Specific Product • Tobacco products • Places of amusement • Retail sales locations • Drycleaners
63	Administer, Enforce, and/or Collect Taxes and Fees
174	Protect Taxpayers' Rights
230	Assist the Catawba Indian Tribe with the Administration of Taxes
238	Collect a Tax/Fee and Remit Revenue to the State's General Fund
255	Collect a Tax/Fee and Remit Revenue to a State or Local Governmental Entity or Non-Governmental Entity
317	Determine and Issue a Refund to a Taxpayer
322	Support State Government
336	Establish Partnerships to Promote Tax Compliance and Simplify Tax Administration
341	Establish Procedures for Disagreements
354	Evaluate and Adjust Tax Rates
358	Notify Taxpayers and External Stakeholders
372	Provide a Report
393	Support Local Governments

Table 5. Applicable laws for the Taxpayer and Business Services Division's deliverables, as provided by SCDOR in its PER (emphasis added).

# from PER	Applicable Law	Summary of Requirement
1	Administer a License or Issue a Certificate to Operate a Place of Business or Sell a Specific Product	
2	12-21-670	SCDOR shall issue a license for sale of tobacco products upon receipt of application and SCDOR shall produce forms for this purpose.
3	12-21-2450	SCDOR shall issue licenses to operate a place of amusement upon receipt of application.
9	12-36-540	SCDOR shall issue a separate license for each retail sales location .
10	44-56-440 (C)	SCDOR must issue a drycleaner's certificate of registration.
63	Administer, Enforce, and/or Collect Taxes and Fees	
64	4-10-90(A)	SCDOR shall administer and collect the local sales and use tax in the manner that statewide sales and use taxes are collected and administered. (Local Option Sales Tax)
65	4-10-350(A)	SCDOR must administer and collect the Capital Project Sales Tax in the same manner that other sales and use taxes are collected.
66	4-10-360	SCDOR shall deposit with the State Treasurer all collections to be credited to a separate account.
67	4-10-580(A)	SCDOR must administer and collect local sales tax in the same manner that other sales taxes are collected.
68	4-10-770	SCDOR must administer and collect the local option sales and use tax for local property tax credits, if imposed by a county, in the same manner that other sales and use taxes are collected.
69	4-10-940 (B)	SCDOR must administer and collect the Tourism Development Fee in the same manner as the Sales and Use Tax.
71	4-12-30 (O)(8)	SCDOR shall develop applicable forms and procedures for handling and processing extension requests .
72	4-37-30 (A)(8)	The Local Option Transportation tax levied pursuant to this section must be administered and collected by SCDOR in the same manner that other sales and use taxes are collected.
73	11-44-70 (A)	SCDOR shall provide for the manner in which the angel investor application is to be submitted and shall review the application and tentatively approve the application upon determining that it meets the requirements of this chapter.
74	11-44-70 (B)	SCDOR shall provide tentative approval of the application by the date provided in subsection (C).
75	11-44-70 (C)	SCDOR shall notify each qualified investor of the tax credits tentatively approved and allocated to the qualified investor by January thirty first of the year after the application was submitted. If the credit amounts on applications filed with SCDOR exceed the maximum aggregate limit of tax credits, then the tax credit must be allocated among the angel investors who filed a timely application on a pro rata basis, based upon the amounts otherwise allowed by this chapter.

# <i>from PER</i>	Applicable Law	Summary of Requirement
78	12-6-20	SCDOR shall administer and enforce the taxes imposed by Chapter 6. SCDOR shall make and publish rules and regulations necessary to enforce this chapter.
79	12-6-1140(10)(d)	SCDOR must approve forms by which certifications must be filed by members of the State Guard and other officers eligible for a deduction.
80	12-6-3360 (B)	SCDOR shall rank and designate the state's counties for purposes of the jobs tax credit .
81	12-6-3360(I)	The appropriate agency involved with the jobs tax credit shall determine if qualifying net increases or decreases have occurred related to jobs.
82	12-6-3360 (J)	The appropriate agency shall prescribe certification procedures to ensure taxpayers can claim credits in future years even if a particular county's classification is changed.
83	12-6-3367 (D)	SCDOR shall prescribe certification procedures to ensure taxpayers may qualify for a corporate tax moratorium in future years even if a particular county is removed from the list of qualifying counties.
84	12-6-3375(B)(2)	SCDOR must prescribe the manner in which a taxpayer shall claim a credit for increasing its port cargo volume.
85	12-6-3381	SCDOR must prescribe a form in order to claim the tax credit for costs associated with a premarital preparation course .
86	12-6-3588	SCDOR shall determine the proof necessary to meet the requirements of the Clean Energy Tax Incentive Credit . SCDOR must certify the qualifying expenditures for the credit. SCDOR must consult with the Department of Commerce, the State Energy Office or any other agency on standards for certification
87	12-6-3622(B)	The fire sprinkler system credit is claimed on a form developed by SCDOR.
88	12-6-3780(A)(1)	SCDOR must prescribe the manner in which to claim the credit.
89	12-6-3910 (A)	SCDOR must prescribe forms for estimated taxes.
90	12-6-5060(B)	SCDOR must put a check off list on all individual income tax returns . The instructions to the income tax form must contain a description of the purposes for which the funds were established and the use of the monies from the income tax contributions.
91	12-6-5590(E)	SCDOR shall examine the substance and donative intent, rather than merely the form, of contributions qualifying as a qualified conservation contribution .
92	12-8-520 (A)	Employers withhold based on tables and rules promulgated by SCDOR.
93	12-8-590 (A)	SCDOR is to prescribe forms and provide for the manner in which withholding is to be conducted for distributions to non-resident shareholders of corporations and non-resident partners of partnerships.
94	12-8-1530 (A)	SCDOR is required to develop quarterly withholding returns.
95	12-10-82	SCDOR must create a form for a taxpayer to make an election to assign job development credits to a designated trustee.
98	12-21-735 (E)(6)	SCDOR determines the amount of credit to be allowed for the purchase of a stamping machine and equipment.

# <i>from PER</i>	Applicable Law	Summary of Requirement
100	12-21-1050	SCDOR shall prescribe forms for the collection of the beer and wine license tax .
101	12-21-1060	SCDOR shall allow a discount of two percent to the wholesaler on the amount of tax reported monthly on timely filed returns.
107	12-23-40	SCDOR shall administer and shall collect the electric power tax .
108	12-23-815	SCDOR shall issue assessments for the tax based on information provided by the Department of Health and Environmental Control and the Office of Research and Statistics of the Revenue and Fiscal Affairs Office.
109	12-23-820	SCDOR shall administer and enforce provisions of this article. The hospital tax levied pursuant to this article must be collected in accordance with the provisions of Chapter 54 of Title 12.
110	12-28-970 (A)	SCDOR must establish procedures regarding backup user fees related to motor fuel .
111	12-28-995	SCDOR shall establish conditions for payment of tax on motor fuel removed from a bulk plant and imported by a tank wagon and delivered to a South Carolina destination less than twenty five miles from the border of this state.
112	12-28-1730(F)	SCDOR shall impose a civil penalty in the amount of one thousand dollars or ten dollars for each gallon of dyed fuel used to operate a vehicle on the highways of this state.
113	12-33-480	SCDOR shall prescribe a form for the payment of taxes and must also assess and collect tax from licensed alcohol wholesalers in same manner as other taxes.
114	12-36-510(B)(3)	SCDOR must prescribe a form for payment of accommodations tax .
115	12-36-1320	Requires SCDOR to determine the useful life of transient construction property in order for use tax on transient construction property to be calculated.
116	12-36-2120(57)	SCDOR shall publish a yearly list of articles which qualify for the August sales tax holiday .
117	12-36-2120(65)(d)	SCDOR shall issue an exemption certificate to the qualifying taxpayer for a sales tax exemption for computer equipment for a technology intensive facility.
118	12-36-2120 (78)	SCDOR shall issue an appropriate exemption certificate to an organization which researches and tests natural hazards per the statute.
119	12-36-2660	SCDOR shall administer and enforce the provisions of Chapter 36, Title 12.
120	12-36-2680	SCDOR shall prescribe an exemption certificate for persons making exempt agricultural purchases .
131	12-54-25(C)(1)	SCDOR must determine amount of interest on refunds .
132	12-54-250(F)(2)	SCDOR shall include a notice detailing electronic filing requirements for tax return preparers filing one hundred or more returns in its form instructions and in the forms area of its website.

# <i>from PER</i>	Applicable Law	Summary of Requirement
133	12-60-410	SCDOR shall assess all state taxes , interest, additions to taxes, and penalties. Also, SCDOR shall furnish a copy of an assessment to the taxpayer upon request.
136	12-62-40(C)(3)	SCDOR shall issue a sales tax exemption certificate once an application for motion picture incentives is approved by the Secretary of Commerce.
138	23-47-50(F)	SCDOR requirement to provide form and collect 911 fees and deposit with State Treasurer.
141	44-56-405	SCDOR shall collect and enforce payment of surcharges and fees which constitute the Dry cleaning Facility Restoration Trust Fund
142	44-56-420(A)	SCDOR must collect and administer Drycleaning Facility Restoration Trust Fund .
143	44-56-425	Sets forth requirements for Dry cleaning Exemption Certificate . SCDOR shall issue an updated dry cleaning facility exemption certificate to a new owner or operator upon request.
144	44-56-435 (B)	SCDOR must administer, collect, and enforce the surcharge and fees in the same manner as sales and use taxes, except no timely payment discount, or exemptions or exclusions are allowed.
145	44-56-470(E)	SCDOR shall review the application for eligibility and request any information within ninety days. SCDOR shall notify the applicant within one hundred eighty days the eligibility status.
146	44-56-495(D)	An employee of SCDOR shall attend meetings of the Dry cleaning Advisory Council to provide the council informal assistance as to matters involving the surcharges and fees that are imposed by this act and administered and collected by SCDOR.
147	44-96-160(W)(1)	SCDOR shall administer, collect and enforce the motor oil fee in the same manner as sales and use taxes.
149	44-96-170(N)	SCDOR shall administer, collect and enforce waste tire disposal fee in the same manner as sales and use tax. SCDOR shall remit fees collected to the State Treasurer.
150	44-96-170(O)	SCDOR must provide requirements for verification of refunds on fees for tires .
151	44-96-180(F)	SCDOR shall administer, collect and enforce lead acid battery fee in the same manner as sales and use tax. SCDOR shall remit fees to the State Treasurer.
152	44-96-200 (E)	SCDOR shall administer, collect and enforce white good disposal fee in the same manner as sales and use tax. SCDOR shall remit fees to the State Treasurer.
153	48-30-50(1)	SCDOR shall develop administrative procedures to collect the assessment from primary forest product processors , deposit funds collected from the assessment and audit records to determine compliance.
154	48-30-80	SCDOR shall enforce collection of the primary forest product assessment .

# <i>from PER</i>	Applicable Law	Summary of Requirement
157	Section 6. Act No. 132 of 2003: Darlington School District Tax	The sales and use tax levied pursuant to this act must be administered and collected by SCDOR in the same manner that other sales and use taxes are collected.
158	Section 1(F). Act No. 146 of 2001: Jasper School District Tax	The tax levied pursuant to this section must be administered and collected by SCDOR in the same manner that other sales and use taxes are collected.
159	Section 6. Act No. 378 of 2004: Lexington School District Tax	The tax levied pursuant to this act must be administered and collected by SCDOR in the same manner that other sales and use taxes are collected.
160	Regulation - 117.200.2 (I)(2)(c)	If a taxpayer converts machine sensible records , including copies of files to a standard record format, SCDOR is responsible for developing the format.
161	Regulation - 117-850.1	SCDOR must provide forms for the completion of income tax returns. Reproduced or computer prepared forms must conform to the standards issued by the forms management section of SCDOR.
162	Regulation - 117-850.2	SCDOR must publish standards for the specifications for using non paper methods .
163	Regulation - 117-875	SCDOR must determine voluntary contributions to check offs at least annually.
164	Regulation - 117-1600.1	SCDOR must prescribe forms for reporting of sales of cigarettes .
165	Regulation - 117-1600.2 (a)	SCDOR shall develop and order forms for cigarette stamps .
166	Regulation - 117-1600.2(d)	SCDOR shall develop forms for purchase of exempt stamps .
172	109.7	(SCDOR: Fraudulent Tax Return Program) SCDOR may establish a Fraudulent Tax Return Detection Program to prevent payment of fraudulent tax refunds. To implement the program the department may contract with information and technology entities to provide the necessary detection capabilities. SCDOR shall pay for the program from the savings realized by implementation.
173	118. 10(d)	(SR: Tax Deduction for Consumer Protection Services) (D) SCDOR shall prescribe the necessary forms to claim the deduction allowed by this section. SCDOR may require the taxpayer to provide proof of the actual costs and the taxpayer's eligibility.
174	Protect Taxpayers' Rights	
177	12-58-80	SCDOR must develop and implement a program to evaluate employee's performance with respect to contact with taxpayers . The program must be coordinated with the Taxpayers' Rights Advocate.

# <i>from PER</i>	Applicable Law	Summary of Requirement
178	12-58-120	Provides guidelines where, under certain circumstances, SCDOR shall release any levy issued.
179	12-58-150	SCDOR shall provide an administrative appeal procedure for releasing liens .
180	12-58-160(A)	Requires action from SCDOR upon discovery of a lien that was filed in error.
181	12-58-160(B)	When SCDOR releases a lien erroneously filed, notice must be mailed to the taxpayer and a copy of the release forwarded to the major credit reporting companies upon taxpayer request.
182	12-58-165	If the department determines that no taxes were due, the recorded lien shall be expunged as if it were fully paid and satisfied.
183	12-60-1340	If SCDOR determines that public health, safety or welfare requires emergency action it shall seek an emergency revocation order from the Administrative Law Court.
230	Assist the Catawba Indian Tribe with the Administration of Taxes	
235	27-16-130(H)(3)(a)	Requires SCDOR to administer and collect the tribal sales tax.
236	27-16-130(H)(3)	SCDOR must administer and collect the tribal sales tax and must separately account for the tribal sales tax.
237	56-31-60(B)(1)	SCDOR shall deposit the heavy equipment rental fee to the local jurisdiction where the qualified heavy equipment was rented.
238	Collect a Tax/Fee and Remit Revenue to the State's General Fund	
240	12-6.	SCDOR must collect and remit individual income tax to the General Fund.
241	12-6-530	SCDOR must collect and remit corporate income tax to the General Fund.
242	12-8.	SCDOR must collect and remit revenue from withholding tax to the General Fund.
243	12-11.	SCDOR must collect and remit the bank tax to the General Fund.
244	12-13.	SCDOR must collect and remit the savings and loan association tax to the General Fund.
245	12-20.	SCDOR shall collect and remit the corporate license fee to the General Fund.
246	12-21.	SCDOR must collect and remit the admission fee, the beer and wine wholesalers excise tax, bingo tax, coin operated device tax and tobacco tax to the General Fund.
247	12-21-1120	Beer and wine taxes and license fees provided by this article must be paid to and collected by SCDOR and deposited to the general fund of this state.
248	12-24.	SCDOR must collect and remit the documentary tax to the General Fund.
249	12-33.	SCDOR must collect and remit alcoholic liquor tax to the General Fund.
250	12-36.	SCDOR must collect and remit the sales tax and retailer license fee to the General Fund.
251	12-37.	SCDOR must collect and remit aircraft property tax and private car lines tax to the General Fund.

# <i>from PER</i>	Applicable Law	Summary of Requirement
255	Collect a Tax/Fee and Remit Revenue to a State or Local Governmental Entity or Non-Governmental Entity	
259	12-6-3780 (B)(2)	If the preventative maintenance refundable income tax credit claimed in a tax year is less than the amounts transferred to SCDOR, then the excess shall revert back from SCDOR to the Department of Transportation.
275	12-21-6530(A)	If a facility qualifies under this article, one-fourth of the admissions tax generated by that facility must be paid by SCDOR to the county or municipality in which the facility is located.
276	12-21-6540(A)	If a facility qualifies under this article, one-fourth of the admissions tax generated by that facility must be paid by SCDOR to the special tourism infrastructure development fund.
277	12-23-840	Revenues derived from the Hospital Tax must be deposited in the Medicaid Expansion Fund created by Section 44-6-155.
278	12-24-90(B)(1)	Allocates to the Heritage Land Trust Fund a portion of the state portion of the Deed Recording Fee collected.
279	12-24-90(B)(2)	Allocates to the State Housing Authority a portion of the state portion of the Deed Recording Fee collected.
294	27-16-110 (C)(3)	SCDOR shall collect all revenues derived from the special tribal bingo tax .
298	44-96-160(X)	SCDOR is required to adjust the rate of the fee to reflect a full year's collection to produce the amount of revenue required in the fund.
303	58-3-100	SCDOR must assess each utility company, railway company, household goods carrier and hazardous waste for disposal carrier its proportion of the expenses in proportion to its gross income from operation in this State. Assess the companies and collect in the manner provided by law for the collection of taxes and remit into the state treasury as other taxes.
304	58-4-60(B)(2)	SCDOR must assess each public utility, railway company, household goods carrier, and hazardous waste for disposal carrier its proportion of the expenses in proportion to its gross income from operation in this State. SCDOR bills and collects this tax for the Public Services Commission and Office of Regulatory Staff.
305	58-5-480	SCDOR on or before the first day of July in each year must assess each natural gas utility regulated and collect in the manner provided by law. The assessments must be deposited in a special fund with the State Treasurer's Office.
306	58-9-2535	SCDOR must collect a dual relay charge from Commercial Mobile Radio Service (CMRS) providers and remit revenue to the Office of Regulatory Staff.

# <i>from PER</i>	Applicable Law	Summary of Requirement
313	93.7	(DOA: Guardian Ad Litem Program) For the current fiscal year, the SCDOR is directed to reduce the rate of interest paid on eligible refunds by two percentage points. The revenue resulting from this reduction must be used exclusively for operations of the Guardian ad Litem program and be deposited in the State Treasury in a separate and distinct fund known as the "South Carolina Guardian ad Litem Trust Fund."
316	117.86	(GP: Joint Children's Committee) For the current fiscal year, SCDOR is directed to reduce the rate of interest paid on eligible refunds by one percentage point. Of the revenue resulting from this reduction, three hundred thousand dollars shall be transferred to the Senate for the Joint Citizens and Legislative Committee on Children. The remaining revenue resulting from this reduction shall be transferred to the Department of Juvenile Justice (DJJ).
317	Determine and Issue a Refund to a Taxpayer	
319	12-56-60 (B)	SCDOR shall determine if debtor is due a refund and shall set off the delinquent debt against the refund.
320	12-60-500	SCDOR shall issue an order to the State Treasurer to issue a refund if it's determined a refund is due.
321	12-60-2150 (D)	The appropriate division of SCDOR shall determine what refund is due and give the property taxpayer written notice of its determination.
322	Support State Government	
326	12-4-360	SCDOR shall verify, when requested by the Retirement Systems of the Public Employee Benefit Authority, information on individual income tax returns to assist the retirement systems in ascertaining if an individual receiving disability benefits has gainful employment for which he is receiving compensation.
329	16-11-340	SCDOR shall print and distribute to each business establishment in the State that has a retail license, a cardboard placard advising of penalties for armed robbery .
330	43-5-120(a)	SCDOR shall provide the Department of Social Services director or his designees an abstract of the income tax return requested, or provide information concerning any item of income or expense contained in the income tax return or disclosed by any investigation of income or return of the applicant or recipient.
332	46-1-160 (D)(1)	SCDOR shall utilize the provisions of the Setoff Debt Collections Act to collect money from a Farm Aid Grant recipient who provided inaccurate information or used funds for ineligible expenses.

# <i>from PER</i>	Applicable Law	Summary of Requirement
334	109.6	(SCDOR: Candidate Tax Return Programs) (A) From the funds appropriated in this act, the SCDOR must develop a program to process inquiries from a candidate for an office of this State or its political subdivisions or any gubernatorial appointee concerning whether that candidate or appointee has filed annual state income tax returns that he was required to file during the past ten years, regardless of the source of income, has paid all income taxes due during that time period, and has satisfied all judgments, liens, or other penalties for failure to pay income taxes when due. (B) Unless a candidate or appointee requests otherwise, the SCDOR must post the results of all inquiries from candidates or appointees in a prominent place on its internet website.
336	Establish Partnerships to Promote Tax Compliance and Simplify Tax Administration	
338	12-6-3620(E)	SCDOR shall consult with the State Energy Office or any other appropriate state and federal officials on standards for certification. SCDOR must notify the taxpayer that it qualifies for the biomass resource credit.
339	12-35-50	SCDOR shall enter into the Streamlined Sales and Use Tax Agreement .
340	109.4	(SCDOR: SCBOS Funds) SCDOR shall share equally the collection assistance fees imposed on overdue tax debt with the South Carolina Business One Stop program . The funds received by the department from this fee shall be used for continued administration of the revenue laws in a fair and impartial manner. Any unexpended funds generated by the fee shall be carried forward from the prior fiscal year into the current fiscal year and shall also be shared equally between the SCDOR and the South Carolina Business One Stop program.
341	Establish Procedures for Disagreements	
342	12-60-420(A)	In a division decision or a proposed assessment SCDOR must explain the basis for the division decision or proposed assessment and state the assessment will be made or the decision will be final unless the taxpayer protests.
343	12-60-420(B)	SCDOR shall make available forms which taxpayers may use to protest a division decision or a proposed assessment.
344	12-60-510(A)(2)	SCDOR must issue an assessment for taxes if a taxpayer fails to file a protest with SCDOR within ninety days.
354	Evaluate and Adjust Tax Rates	
355	11-47-20(j)	SCDOR shall ascertain the amount of State excise tax paid on cigarettes sold within South Carolina.
357	12-28-310 (D)	SCDOR shall permanently increase the amount of the motor fuel user fee by two cents, for a total of twelve cents starting on July 1, 2017 and each July 1st thereafter until after July 1, 2022.
358	Notify Taxpayers and External Stakeholders	
360	12-23-810 (C)	SCDOR must notify hospitals as to the amount of hospital tax due based on calculations from the Department of Health and Human Services.

# <i>from PER</i>	Applicable Law	Summary of Requirement
361	12-55-40	SCDOR shall notify a taxpayer that a collection assistance fee may be imposed in order to impose a collection assistance fee on a tax debt.
364	43-5-120(c)	The applicant or recipient whose income tax records have been requested from SCDOR shall be notified by mail that such request has been made at the time of the request.
365	44-56-435 (A)	SCDOR shall distribute registration forms to owners and operators of dry cleaning and wholesale facilities and to property owners. SCDOR shall use reasonable efforts to identify and notify owners, operators, and property owners of dry cleaning and wholesale supply facilities of the registration requirements by certified mail, return receipt requested. SCDOR shall provide to DHEC a copy of each applicant's registration materials within thirty working days of the receipt of materials.
366	44-56-440 (A)(2)(a)	SCDOR must notify the owner or operator of the dry cleaning facility of a registration by the property owner.
372	Provide a Report	
379	44-56-435 (F)	SCDOR shall create and update an annual report of all dry cleaning facilities in the State. Report must identify those that have a dry cleaning facility exemption certificate and must provide the status of the annual certificates of registration for those in the fund. SCDOR shall publicize the report and distribute it as widely as practical on October thirtieth of each year to interested parties.
382	118. 10(c)	(SR: Tax Deduction for Consumer Protection Services) (C) By March fifteenth of each year, SCDOR shall issue a report to the Governor and the General Assembly detailing the number of taxpayers claiming the deduction allowed by this item in the most recent tax year for which there is an accurate figure, and the total monetary value of the deductions claimed pursuant to this item in that same year. (D) SCDOR shall prescribe the necessary forms to claim the deduction allowed by this section. SCDOR may require the taxpayer to provide proof of the actual costs and the taxpayer's eligibility.
393	Support Local Governments	
408	12-53-50	SCDOR shall remit to the clerk of court of the county the amount of prior liens against the property seized and sold.

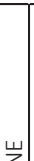
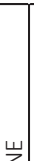
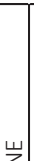
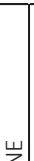
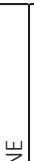
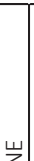
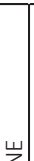
Note:

SCDOR reported that all of its deliverables are required by law, and that for every one, it:

- Evaluates the outcome obtained by customers/individuals who receive the service or product;
- Knows the number of potential and actual customers served annually;
- Evaluates customer satisfaction; and
- Knows the cost it incurs per unit to provide the service or product.

Related Performance Measures

Table 6. Performance Measures for the Taxpayer and Business Services Division, as reported by SCDOR in its PER.

Performance Measure	Type of Measure:	Required or Selected?	Time Period	Time Period 1	Time Period 2	Time Period 3	Time Period 4	Time Period 5 (most recently completed)	Time Period 6 (current time period)
Total SCDOR General Fund Tax Revenue Collections (Dollars in Billions)	Outcome Measure	Agency Selected	July - June	Target: DNE	\$9.10	\$10.50	\$10	\$7.75	\$8.12
				Actual: \$8.90	\$9.10	\$10.50	\$10.90	\$7.78	
Total SCDOR Other Fund Tax Revenue Collections (Dollars in Billions)	Outcome Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	DNE	\$3.90	\$3.90
				Actual: Reported above	Reported above	Reported above	Reported above	\$3.90	
Percentage of tax returns filed electronically.	Efficiency Measure	Agency Selected	July - June	Target: DNE	70%	70%	70%	70%	70%
Percentage of dollars collected through electronic services.	Efficiency Measure	Agency Selected	July - June	Actual: DNE	64%	68%	65%	69%	
				Target: DNE	90%	85%	80%	85%	85%
Number tax audits completed.	Output Measure	Agency Selected	July - June	Actual: DNE	83%	84%	85%	82%	
				Target: DNE	DNE	DNE	45,000	45,000	DNE
Dollars assessed by SCDOR's audit services (dollars in millions)	Output Measure	Agency Selected	July - June	Actual: DNE	DNE	DNE	45,638	43,056	
				Target: DNE	DNE	DNE	\$172	\$172	DNE
Percentage increase in collections from the Debt Setoff Program	Outcome Measure	Agency Selected	January - December	Actual: DNE	DNE	DNE	10%	10%	9%
				Target: DNE	DNE	DNE	9%	9%	
Collections from the Governmental Enterprise Accounts Receivable Program (GEAR) (dollars in millions)	Outcome Measure	Agency Selected	January - December	Actual: \$11.79	\$14.20	\$13.80	\$12.50	\$12.50	\$16.10
				Target: DNE	\$14.20	\$13.80	\$12.80	\$16.10	
Percentage increase in the total tax dollars saved from the identification of fraudulent activity.	Outcome Measure	Agency Selected	July - June	Actual: DNE	DNE	DNE	DNE	DNE	DNE
				Target: DNE	DNE	DNE	62%	-19%	
Percentage of total tax dollars saved due to the identification of fraudulent activity as a result of Phase III.	Efficiency Measure	Agency Selected	July - June	Actual: DNE	DNE	DNE	29%	42%	
				Target: DNE	DNE	DNE	DNE	13	15
Percentage of completion for migrating tax types to DORWay Phase III.	Efficiency Measure	Agency Selected	July - June	Actual: DNE	DNE	DNE	DNE	100%	100%
				Target: DNE	DNE	DNE	DNE	100%	
Number of taxpayer accounts migrated to DORWay Phase III.	Efficiency Measure	Agency Selected	July - June	Actual: DNE	DNE	DNE	DNE	1,060,654	DNE
				Target: DNE	DNE	DNE	DNE	4,255,394	
Percentage of completion for migrating taxpayer accounts to DORWay Phase III.	Input/Activity Measure	Agency Selected	July - June	Actual: DNE	DNE	DNE	DNE	100%	100%
				Target: DNE	DNE	DNE	DNE	100%	

Performance Measure	Type of Measure:	Required or Selected?	Time Period		Time Period 1	Time Period 2	Time Period 3	Time Period 4	Time Period 5 (most recently completed)	Time Period 6 (current time period)
Number of transaction tests performed in DORWay Phase III.	Input/Activity Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	DNE DNE	8,828 8,828	DNE
Percentage completion rate of DORWay, Phase III, transaction testing.	Input/Activity Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	DNE DNE	100% 100%	100%
Percentage compliance rate achieved on a risk assessment of DORWay, Phase III.	Efficiency Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	DNE DNE	95% 97%	97%
Percentage completion rate of MyDORWay application security scan.	Efficiency Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	DNE DNE	100% 100%	100%
Number of DORWay, Phase III, training attendees.	Input/Activity Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	DNE DNE	700 444	444
Number of DORWay, Phase III, training sessions held.	Input/Activity Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	DNE DNE	118 95	95
Number of external partners interfacing with DORWay, Phase III.	Input/Activity Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	DNE DNE	53 53	50
Number of enhancements made to DORWay, Phase I and Phase II.	Input/Activity Measure	Agency Selected	July - June	Target: Actual:	DNE DNE	DNE DNE	DNE DNE	DNE DNE	1,100 1,351	1351

Related Law Recommendations

Provided by SCDOR in its PER.

1. Financial Institutions
2. Tax Liens
6. Credit for Energy Efficient Vehicles
7. Marketplace Facilitator

1. Financial Institutions

Summary of Current Law:

N/A

Recommendation:

SCDOR would like to participate in the Financial Institution Data Match (FIDM) program to share data files with financial institutions to identify financial assets of debtors with past due liabilities. This program will not provide new collection tools but provide a more streamline process to collect.

Other agencies that may be impacted:

Financial Institutions

Entities participating in the Debt Setoff or GEAR Program

Draft Language:

Chapter 54 of Title 12 is amended by adding the following section:

SECTION 1. Section 12-54-265. Notwithstanding any other provision of law, the department may submit to a financial institution, as defined in Section 63-17-2310(A)(2), information that identifies a debtor named on a warrant for distraint that has been issued and filed by the department or whose debt has been submitted to the department for collection under the provisions of Section 12-4-580. For purposes of debts named on warrants for distraint, the debt must be at least one hundred eighty days old from the date of assessment. The department may submit the information to the financial institution on a quarterly basis or, with the agreement of the financial institution, on a more frequent basis. A financial institution that receives the information must conduct a data match. The financial institution must then provide to the department, in a manner and form prescribed by the department, information concerning the debtor for purposes of collecting outstanding debts. The information provided to the department must include, but is not limited to, the information required pursuant to Section 63-17-2320(A). The financial institution must be paid a reasonable fee out of the collected funds not to exceed actual cost.

SECTION 2. This Act takes effect upon the signature of the Governor.

2. Tax Liens

Summary of Current Law:

Currently, SCDOR files tax lien notices with each county in which a warrant for distraint applies.

Recommendation:

Amend current law to allow SCDOR to implement a centralized system of filing and indexing of tax liens that is accessible to the public through SCDOR's website. Instead of filing liens with each county interested parties will be able to search the entire state for tax liens through one centralized source.

Other agencies that may be impacted:

Local Jurisdictions

Draft Language:

Section 12-54-122(G) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

SECTION 1. Instead of filing a tax lien notice pursuant to item (1), the department may implement a system of filing and indexing liens which must be accessible to the public over the Internet or through other means as the department considers appropriate. A lien filed pursuant to this item is effective statewide from the date and time it is recorded and encumbers all the taxpayer's property and rights to property as provided in Section 12-54-120, regardless of the property's location. A lien filed pursuant to item (1) remains effective from the date and time it was recorded. Nothing in this item may be construed so as to extend the effectiveness of a lien beyond ten years from the date of filing, as provided in Section 12-54-120.

SECTION 2. This act takes effect July 1, 2019.

6. Credit for Energy Efficient Vehicles

Summary of Current Law:

The current law allows for an income tax credit for the purchase of new qualified fuel cell motor vehicles, advanced lean burn technology motor vehicles or hybrid motor vehicles meeting federal criteria. Unfortunately, the federal code section providing the criteria has been repealed leaving no guidelines to determine eligibility.

Recommendation:

Modify existing statute to provide clear guidelines to determine eligibility for the credit.

Other agencies that may be impacted:

None

Draft Language:

Amend Title 12, Chapter 6 by adding the following new section:

SECTION 1. (A) For tax years beginning on or after January 1, 2018 and before January 1, 2021, a resident individual taxpayer is allowed an income tax credit for the purchase of a new motor vehicle that meets the requirements of subsection (D). The credit must be claimed for the tax year in which the new motor vehicle is purchased.

(B) The credit amount for any new motor vehicle is:

(1) one hundred dollars for each new motor vehicle for which the mileage is at least forty-five but less than fifty-five; or

(2) three hundred dollars for each new motor vehicle for which the mileage is at least fifty-five.

(C) The credit allowed by this section is nonrefundable. If the amount of the credit exceeds the taxpayer's income tax liability for the applicable tax year, any unused credit may be carried forward for five years.

(D) For purposes of this section:

(1) 'new motor vehicle' means a car or truck that:

(a) is classified as a 'private passenger motor vehicle' pursuant to Section 56-3-630;

(b) is registered for operation upon the highways in this State; and

(c) has incurred five thousand or fewer miles at the time of purchase.

(2) 'mileage' means the combined miles per gallon of gasoline ("MPG") or miles per gallon of gasoline equivalent ("MPGe") for the make and model of the vehicle as published in the Fuel Economy Guide for the applicable model year.

(3) 'Fuel Economy Guide' means the annual Fuel Economy Guide published by the United States Department of Energy, Office of Energy Efficiency and Renewable Energy, and the United States Environmental Protection Agency.

SECTION 2. This act takes effect upon approval by the Governor and applies to income tax years beginning on or after January 1, 2018 and before January 1, 2021.

7. Marketplace Facilitator

Summary of Current Law:

There is no law related to taxation of third party sales.

Recommendation:

Definitions have been revised in Chapter 36 of Title 12 to ensure that third party sales will be subject to tax.

Other agencies that may be impacted:

None

Draft Language:

Amend Code Section 12-36-70 as follows:

SECTION 1. Section 12-36-70.

Retailer and seller include every person:

(1)(a) selling or auctioning tangible personal property whether owned by the person or others;
(b) furnishing accommodations to transients for a consideration, except an individual furnishing accommodations of less than six sleeping rooms on the same premises, which is the individuals place of abode;
(c) renting, leasing, or otherwise furnishing tangible personal property for a consideration;
(d) operating a laundry, cleaning, dyeing, or pressing establishment for a consideration;
(e) selling electric power or energy;
(f) selling or furnishing the ways or means for the transmission of the voice or of messages between persons in this State for a consideration. A person engaged in the business of selling or furnishing the ways or means for the transmission of the voice or messages as used in this subitem (f) is not considered a processor or manufacturer;

(2)(a) maintaining a place of business or qualifying to do business in this State; or
(b) not maintaining an office or location in this State but soliciting business by direct or indirect representatives, manufacturers agents, distribution of catalogs, or other advertising matter or by any other means, and by reason thereof receives orders for tangible personal property or for storage, use, consumption, or distribution in this State.

(3) operating a marketplace as a marketplace facilitator, as defined in Code Section 12-36-71.

The department, when necessary for the efficient administration of this chapter, may treat any salesman, representative, trucker, peddler, or canvasser as the agent of the dealer, distributor, supervisor, employer, or other person under whom they operate or from whom they obtain the tangible personal property sold by them, regardless of whether they are making sales on their own behalf or on behalf of the dealer, distributor, supervisor, employer, or other person. The department may also treat the dealer, distributor, supervisor, employer, or other person as a retailer for purposes of this chapter.

Amend Title 12, Chapter 36 by adding the following section:

SECTION 2. Section 12-36-71: Marketplace facilitator means any person who facilitates a retail sale of tangible personal property by (1) listing or advertising another person's products in any marketplace where sales at retail occur, whether physical or electronic, including stores, booths, catalogs, Internet websites, and similar places, and (2) processing the payment from the customer, either directly or indirectly through a third party, regardless of whether the marketplace facilitator receives compensation or other consideration in exchange for its services. A marketplace facilitator includes any related entities assisting in sales, storage, distribution, payment processing, or in any other manner with respect to the marketplace.
For purposes of this chapter, retail sales of tangible personal property made through a marketplace facilitator's marketplace are considered retail sales by the marketplace facilitator, and the marketplace facilitator is considered to be engaged or continuing within this State in the business of selling tangible personal property at retail and a retailer maintaining a place of business in this State.

Amend Code Section 12-36-90(1)(a) as follows:

SECTION 3. Section 12-36-90.

Gross proceeds of sales, or any similar term, means the value proceeding or accruing from the sale, lease, or rental of tangible personal property.

(1) The term includes:

(a) the proceeds from the sale of property sold on consignment by the taxpayer or from the sale of tangible personal property sold through a marketplace facilitator's marketplace;

Amend Code Section 12-36-130(1) as follows:

SECTION 4. Section 12-36-130.

Sales price means the total amount for which tangible personal property is sold, without any deduction for the cost of the property sold, the cost of the materials used, labor or service cost, interest paid, losses, or any other expenses.

(1) The term includes:

(a) any services or transportation costs that are a part of the sale, whether paid in money or otherwise; and

(b) any manufacturers or importers excise tax imposed by the United States; and,

(c) the proceeds from the sale of property sold on consignment by the taxpayer or from the sale of tangible personal property sold through a marketplace facilitator's marketplace.

Amend Code Section 12-36-1340 as follows:

SECTION 5. Each seller making retail sales of tangible personal property for storage, use, or other consumption in this State shall collect and remit the tax in accordance with this chapter and shall obtain from the department a retail license as provided in this chapter, if the retail seller:

(1) maintains a place of business;

(2) qualifies to do business;

- (3) solicits and receives purchases or orders by an agent, independent contractor, representative, Internet websites, or any other means or salesman; or
- (4) distributes catalogs, or other advertising matter, and by reason of that distribution receives and accepts orders from residents within the State.

SECTION 6. This act takes effect the first day of the third month after the signature of the Governor.

SECURITY AND IT SERVICES DIVISION

Deputy Director

Mike Sayles

Number of Employees

92 FTEs, 30 contractors

Related Goal

- 2 Ensure taxpayer security by utilizing state-of-the-art technology.

Related Deliverables

Note that deliverables usually consist of products/services provided to customers/stakeholders outside of the agency, and may not represent all the activities of a division.

Table 7. Applicable laws for the Security and Information Technology Services Division's deliverables, as provided by SCDOR in its PER (emphasis added).

# from PER	Applicable Law	Summary of Requirement
63	Administer, Enforce, and/or Collect Taxes and Fees	
172	109.7	(SCDOR: Fraudulent Tax Return Program) SCDOR may establish a Fraudulent Tax Return Detection Program to prevent payment of fraudulent tax refunds. To implement the program the department may contract with information and technology entities to provide the necessary detection capabilities. SCDOR shall pay for the program from the savings realized by implementation.

Note:

SCDOR reported that all of its deliverables are required by law, and that for every one, it:

- Evaluates the outcome obtained by customers/individuals who receive the service or product;
- Knows the number of potential and actual customers served annually;
- Evaluates customer satisfaction; and
- Knows the cost it incurs per unit to provide the service or product.

Related Performance Measures

Table 8. Performance Measures for the Security and Information Technology Services Division, as reported by SCDOR in its PER.

Performance Measure	Type of Measure:	Required or Selected?	Time Period	Time Period 1	Time Period 2	Time Period 3	Time Period 4	Time Period 5 (most recently completed)	Time Period 6 (current time period)
Total SCDOR General Fund Tax Revenue Collections (Dollars in Billions)	Outcome Measure	Agency Selected	July - June	Target: DNE	\$9.10	\$10.50	\$10	\$7.75	\$8.12
				Actual: \$8.90	\$9.10	\$10.50	\$10.90	\$7.78	
Total SCDOR Other Fund Tax Revenue Collections (Dollars in Billions)	Outcome Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	DNE	\$3.90	\$3.90
				Actual: Reported above	Reported above	Reported above	Reported above	\$3.90	
Number of tax types migrated to DORWay Phase III.	Efficiency Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	DNE	13	15
				Actual: DNE	DNE	DNE	DNE	13	
Percentage of completion for migrating tax types to DORWay Phase III.	Efficiency Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	DNE	100%	100%
				Actual: DNE	DNE	DNE	DNE	100%	
Number of taxpayer accounts migrated to DORWay Phase III.	Efficiency Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	DNE	1,060,654	DNE
				Actual: DNE	DNE	DNE	DNE	4,255,394	
Percentage of completion for migrating taxpayer accounts to DORWay Phase III.	Input/Activity Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	DNE	100%	100%
				Actual: DNE	DNE	DNE	DNE	100%	
Number of transaction tests performed in DORWay Phase III.	Input/Activity Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	DNE	8,828	DNE
				Actual: DNE	DNE	DNE	DNE	8,828	
Percentage completion rate of DORWay, Phase III, transaction testing.	Input/Activity Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	DNE	100%	100%
				Actual: DNE	DNE	DNE	DNE	100%	
Percentage of external security assessments and audits passed successfully.	Outcome Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	100%	100%	100%
				Actual: DNE	DNE	DNE	100%	100%	
Percentage compliance rate achieved on a risk assessment of DORWay, Phase III.	Efficiency Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	DNE	95%	97%
				Actual: DNE	DNE	DNE	DNE	97%	
Percentage completion rate of MyDORWay application security scan.	Efficiency Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	DNE	100%	100%
				Actual: DNE	DNE	DNE	DNE	100%	
Number of enhancements made to DORWay, Phase I and Phase II.	Input/Activity Measure	Agency Selected	July - June	Target: DNE	DNE	DNE	DNE	1,100	1351
				Actual: DNE	DNE	DNE	DNE	1,351	

LITIGATION AND APPEALS DIVISION

Deputy Director

Jason Luther

Number of Employees

19 FTEs

Related Goals

- 1 Fairly administer and enforce the revenue and regulatory laws of the State of South Carolina.
- 3 Maintain a positive customer service experience for all stakeholders.

Related Deliverables

Note that deliverables usually consist of products/services provided to customers/stakeholders outside of the agency, and may not represent all the activities of a division.

Table 9. Applicable laws for the Litigation and Appeals Division's deliverables, as provided by SCDOR in its PER (emphasis added).

# from PER	Applicable Law	Summary of Requirement
63	Administer, Enforce, and/or Collect Taxes and Fees	
140	38-55-570(C)	SCDOR shall report but not adjudicate all cases of suspected false statements to the Insurance Fraud Division of the Office of Attorney General.
174	Protect Taxpayers' Rights	
179	12-58-150	SCDOR shall provide an administrative appeal procedure for releasing liens .
183	12-60-1340	If SCDOR determines that public health, safety or welfare requires emergency action it shall seek an emergency revocation order from the Administrative Law Court.
341	Establish Procedures for Disagreements	
345	12-60-510 (B)	SCDOR shall issue an amended Department Determination in the same manner as the original if the original is remanded to SCDOR by the Administrative Law Court.
346	12-60-1310 (C)	SCDOR and the person shall stipulate the facts and issues after a protest is filed to attempt to settle a case.
347	12-60-1310 (D)(1)	SCDOR shall make a Department Determination using information provided in accordance with Section 12-60-30(15)(C)(iii).
348	12-60-1310 (D)(2)	A Department Determination by SCDOR must be in writing.

# <i>from PER</i>	Applicable Law	Summary of Requirement
349	12-60-1330(B)	SCDOR shall issue an amended Department Determination in the same manner as the original if the original is remanded to SCDOR by the Administrative Law Court.
352	12-60-2130	Upon remand of a case from the Administrative Law Court, SCDOR has thirty days, or a longer period if ordered by the judge, to consider the new facts. SCDOR shall issue its amended Department Determination in the same manner as the original.
353	12-60-2150 (H)	Upon remand, SCDOR has thirty days, or a longer period ordered by a judge, to consider new facts and amend its Department Determination . SCDOR shall issue its amended Department Determination in the same manner as the original.

Note:

SCDOR reported that all of its deliverables are required by law, and that for every one, it:

- Evaluates the outcome obtained by customers/individuals who receive the service or product;
- Knows the number of potential and actual customers served annually;
- Evaluates customer satisfaction; and
- Knows the cost it incurs per unit to provide the service or product.

Related Performance Measures

None.



Committee Mission

Determine if agency laws and programs are being implemented and carried out in accordance with the intent of the General Assembly and whether they should be continued, curtailed or eliminated. Inform the public about state agencies.

Website: <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>

Phone Number: 803-212-6810

Email Address: HCommLegOv@schouse.gov

Location: Blatt Building, Room 228

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EN Hello, Chris Account & Lists Orders Prime

Amazon Fashion WOMEN MEN GIRLS BOYS BABY LUGGAGE SALES & DEALS NEW ARRIVALS

prime wardrobe Try before you buy

WHOLE FOODS MARKET \$10 off your next order of \$50

Cart

Subtotal: \$119.99

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Ad feedback

Return to product information Every purchase on Amazon.com is protected by an A-to-z guarantee. Feedback on this page? Tell us what you think

ASICS Women's Gel-Nimbus 20 Running Shoe, mid grey/mid grey/seashell pink, 7.5 Medium US by ASICS

Size: 7.5 M US

Color: Mid Grey/Mid Grey/Seashell Pink

Refine by Clear all

Shipping

Free shipping

Condition

New

Price + Shipping	Condition (Learn more)	Delivery	Seller Information	Buying Options
\$95.00 & FREE Shipping + \$9.60 estimated tax.	New	- Arrives between February 8-13. - Want it delivered Wednesday, February 13? Choose Standard Shipping at checkout. - Shipping rates and return policy.	Running & Walking Center ★★★★☆ 91% positive. (157 total ratings)	Add to cart
\$95.00 & FREE Shipping + \$9.60 estimated tax.	New	- Arrives between February 8-13. - Want it delivered Wednesday, February 13? Choose Standard	Eight Gram ★★★★☆ 79% positive over the past 12	Add to cart

Hearing Exhibit 210

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Amazon.com: Buying Choices: ...

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Size: 7.5 M US

Color: Mid Grey/Mid Grey/Seashell Pink

Refine by Clear all

Shipping: ☐ Prime ☐ Free shipping

Condition: ☒ New

Price + Shipping	Condition (Learn more)	Delivery	Seller Information	Buying Options
\$95.00 & FREE Shipping + \$9.60 estimated tax	New	• Arrives between February 8-13. • Want it delivered Wednesday, February 13? Choose Standard Shipping at checkout. • Shipping rates and return policy.	Running & Walking Center ★★★★☆ 91% positive (157 total ratings)	Add to cart
\$95.00 & FREE Shipping + \$9.60 estimated tax	New	• Arrives between February 8-13. • Want it delivered Wednesday, February 13? Choose Standard Shipping at checkout. • Shipping rates and return policy.	Eight Gram ★★★★☆ 22% positive over the past 12 months (189 total ratings)	Add to cart
\$99.95 ✓ prime + \$10.09 estimated tax	New	FULFILLMENT BY AMAZON • Free Two-Day Shipping: Get it Wednesday, February 6 (order within 3hr 42min) • Shipping rates and return policy.	Zappos Retail, Inc. ★★★★★ 100% positive over the past 12 months (153,191 total ratings)	Add to cart
\$99.95 ✓ prime + \$10.09 estimated tax	New	FULFILLMENT BY AMAZON • Free Two-Day Shipping: Get it Wednesday, February 6 (order within 1hr 27min) • Shipping rates and return policy.	Sancus Procurement ★★★★★ 99% positive over the past 12 months (476 total ratings)	Add to cart
\$99.95 ✓ prime + \$10.09 estimated tax	New	FULFILLMENT BY AMAZON • Free Two-Day Shipping: Get it Wednesday, February 6 (order within 3hr 42min) • Shipping rates and return policy.	What's Hot ★★★★★ 100% positive over the past 12 months (78,671 total ratings)	Add to cart
\$99.95 ✓ prime + \$10.09 estimated tax	New	FULFILLMENT BY AMAZON • Free Two-Day Shipping: Get it Wednesday, February 6 (order within 3hr 42min) • Shipping rates and return policy.	Orva Stores ★★★★★ 100% positive over the past 12 months (122,627 total ratings)	Add to cart
\$99.95 & FREE Shipping + \$10.09 estimated tax	New	• Arrives between February 8-12. • Want it delivered Tuesday, February 12? Choose Standard Shipping at checkout. • Shipping rates and return policy.	Peltz Shoes ★★★★☆ 95% positive over the past 12 months (123,353 total ratings)	Add to cart
\$109.99 & FREE Shipping + \$11.11 estimated tax	New	• Arrives between February 6-11. • Want it delivered Monday, February 11? Choose Expedited Shipping at checkout. • Shipping rates and return policy.	wooki ★★★★☆ 96% positive over the past 12 months (449 total ratings)	Add to cart
\$117.11 & FREE Shipping + \$11.83 estimated tax	New	• Arrives by Thu, Feb. 7. • Want it delivered Thursday, February 7? Choose Two-Day Shipping at checkout. • Shipping rates and return policy.	Running Warehouse ★★★★★ 97% positive over the past 12 months (2,072 total ratings)	Add to cart
\$119.95 & FREE Shipping + \$12.11 estimated tax	New	• Arrives between February 8-12. • Want it delivered Tuesday, February 12? Choose Standard Shipping at checkout. • Shipping rates and return policy.	Shoes & More ★★★★☆ 93% positive over the past 12 months (2,491 total ratings)	Add to cart

← Previous 1 2 3 Next →

Cart

Subtotal: **\$119.99**

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11:17 PM
2/4/2019

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Amazon.com: Buying Choices: ...

Amazon.com

Size: 7.5 M US

Color: Mid Grey/Mid Grey/Seashell Pink

Refine by Clear all

Shipping

Condition

Price + Shipping

Condition

Delivery

Seller Information

Buying Options

\$119.96 & FREE Shipping + \$12.12 estimated tax	New	• Arrives by Wed, Feb. 6. • Want it delivered Wednesday, February 6? Choose Two-Day Shipping at checkout. • Shipping rates and return policy.	Backcountry ★★★★☆ 83% positive over the past 12 months. (148,096 total ratings)	Add to cart
\$119.99 prime + \$12.12 estimated tax	New	FULFILLMENT BY AMAZON • Free Two-Day Shipping. Get it Wednesday, February 6 (order within 41min). • Shipping rates and return policy.	Road Runner Sports ★★★★☆ 80% positive over the past 12 months. (61,121 total ratings)	Add to cart
\$139.00 prime + \$14.04 estimated tax	New	FULFILLMENT BY AMAZON • Free Two-Day Shipping. Get it Wednesday, February 6 (order within 41min). • Shipping rates and return policy.	APPLE-TREE ★★★★★ 100% positive over the past 12 months. (954 total ratings)	Add to cart
\$158.95 & FREE Shipping + \$16.05 estimated tax	New	• Arrives between February 12-15. • Want it delivered Friday, February 15? Choose Standard Shipping at checkout. • Shipping rates and return policy.	RevUp Sports com ★★★★☆ 98% positive over the past 12 months. (1,431 total ratings)	Add to cart
\$159.95 prime + \$16.15 estimated tax	New	FULFILLMENT BY AMAZON • Free Two-Day Shipping. Get it Wednesday, February 6 (order within 2hr 56min). • Shipping rates and return policy.	WW Retail ★★★★★ 98% positive over the past 12 months. (9,864 total ratings)	Add to cart
\$159.95 & FREE Shipping + \$16.15 estimated tax	New	• Arrives between February 12-20. • Want it delivered Thursday, February 7? Choose Two-Day Shipping at checkout. • Shipping rates and return policy.	SportTown ★★★★☆ 95% positive over the past 12 months. (5,950 total ratings)	Add to cart
\$160.00 & FREE Shipping + \$16.16 estimated tax	New	• Arrives between February 8-12. • Want it delivered Tuesday, February 12? Choose Standard Shipping at checkout. • Shipping rates and return policy.	Rogan's Shoes ★★★★☆ 96% positive over the past 12 months. (248 total ratings)	Add to cart
\$175.53 & FREE Shipping + \$17.73 estimated tax	New	• Arrives between February 13-22. • Want it delivered Friday, February 22? Choose Expedited Shipping at checkout. • Shipping rates and return policy.	1 Wild Concept ★★★★☆ 97% positive over the past 12 months. (330 total ratings)	Add to cart
\$189.31 & FREE Shipping + \$19.12 estimated tax	New	• Arrives between February 14-25. • Want it delivered Monday, February 25? Choose Expedited Shipping at checkout. • Shipping rates and return policy.	Distinctive Home ★★★★☆ 97% positive over the past 12 months. (380 total ratings)	Add to cart
\$189.31 & FREE Shipping + \$19.12 estimated tax	New	• Arrives between February 15-26. • Want it delivered Tuesday, February 26? Choose Standard Shipping at checkout. • Shipping rates and return policy.	Bottom Line L.L.C. ★★★★☆ 92% positive over the past 12 months. (1,133 total ratings)	Add to cart

Previous 1 2 3 Next

Cart

Subtotal: \$119.99

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Amazon.com

SEE SOMETHING NEW, EVERY DAY. TAKE A LOOK

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ASICS Women's Gel-Nimbus 20 Running Shoe, mid grey/mid grey/seashell pink, 7.5 Medium US

by ASICS

★★★★★ 216 customer reviews

Size: 7.5 M US

Color: Mid Grey/Mid Grey/Seashell Pink

Refine by clear all

Shipping

☐ prime

☐ Free shipping

Condition

☒ New

Price + Shipping

\$189.48

+ \$4.99 shipping + \$19.64 estimated tax

Condition (Learn more)

New

Delivery

Arrives between February 15-26.

Want it delivered Tuesday, February 26? Choose **Standard Shipping** at checkout.

Shipping rates and return policy.

Seller Information

Sports Gallery 305

★★★★★ 80% positive over the past 12 months. (279 total ratings)

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Filtrete 16x25x1 MPR 300 Clean Living Basic Dust AC Furnace Air Filter 16 x 25 x 1 White 6-Pack

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Assorted Picture Hanging Kit | 220 Piece Assortment with Wire, Picture Hangers, Hooks, Nails and...

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\$9.99 prime

Mpow 068 Kids Ear Protection, NRR 25dB Noise Reduction Ear Muffs, Toddler Ear Protection...

★★★★★ 520

\$10.99 prime

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Direct

Powell, Hartley 11-06-2018

Amazon Direct Testimony 00:22:02

Total Time 00:22:02



Hearing
Exhibit
213

Page/Line	Source	ID
6:2 - 6:5	Powell, Hartley 11-06-2018 (00:00:05) 6:2 Q. So you started in the position as 6:3 director of the Department of Revenue on January 1, 6:4 2017? 6:5 A. I did.	Powell.1
6:16 - 8:3	Powell, Hartley 11-06-2018 (00:01:34) 6:16 Q. And you understand, sir, that this case 6:17 involves a disagreement between Amazon Services, 6:18 LLC, and the Department of Revenue about the South 6:19 Carolina Sales and Use Tax Act? 6:20 A. I understand there is a disagreement. 6:21 I couldn't tell you anything about Amazon Services. 6:22 I just used the word Amazon. 6:23 Q. Okay. So you understand that this case 6:24 is about a disagreement between Amazon and the 6:25 Department of Revenue about a particular law, the 7:1 South Carolina Sales and Use Tax Act, right? 7:2 A. That is correct. 7:3 Q. Okay. And you understand also that one 7:4 of the provisions in dispute in the case is the 7:5 definition of retailer, or seller, in Code Section 7:6 12-36-70? 7:7 A. Retailer, yes. 7:8 Q. And during the course of this 7:9 litigation, your department, the Department of 7:10 Revenue, has proposed amending the statutory 7:11 definition of retailer, right? 7:12 A. How about we have proposed some 7:13 legislation. 7:14 Q. Right. And you have proposed some 7:15 legislation -- 7:16 A. I think your word is amending. That's 7:17 not my word. 7:18 Q. Okay. Well, you disagree with me, sir, 7:19 that you've proposed legislation -- 7:20 A. There were -- 7:21 Q. -- that would amend the definition of 7:22 the term retailer? 7:23 A. I said that we had proposed legislation 7:24 that is related to marketplace facilitators.	Powell.87

Page/Line	Source	ID
7:25	Q. Right. I hear what you're saying, but	
8:1	my question is slightly different.	
8:2	A. I hear what you're saying, but I'm not	
8:3	going to say that.	
9:11 - 9:18	Powell, Hartley 11-06-2018 (00:00:21)	Powell.2
9:11	Q. What's Exhibit 1?	205.1
9:12	A. It's a report prepared by the	
9:13	Legislative Oversight Committee.	
9:14	Q. And it's -- the report represents the	
9:15	sworn testimony from the agency director, right?	
9:16	A. I have no idea if it represents my	
9:17	sworn testimony. It is a report that was prepared	
9:18	by them.	
10:4 - 10:6	Powell, Hartley 11-06-2018 (00:00:08)	Powell.3
10:4	Q. Do you see on the second page of the	205.2
10:5	document, sir, at the top, where it says Program	
10:6	Evaluation Report?	
10:13 - 10:14	Powell, Hartley 11-06-2018 (00:00:04)	Powell.68
10:13	A. I do. And the word is evaluation.	
10:14	It's their evaluation of us.	
10:21 - 11:6	Powell, Hartley 11-06-2018 (00:00:28)	Powell.69
10:21	Q. Okay. It's right there -- do you see	
10:22	that -- where it says: The contents of this report	
10:23	are considered sworn testimony from the agency	
10:24	director.	
10:25	Do you see that?	
11:1	A. I do.	
11:2	Q. And you understand, sir, that you are	
11:3	the agency director.	
11:4	A. I am. I didn't write the report. I	
11:5	didn't bless the report. I didn't review the	
11:6	report. The report was issued to me.	
11:16 - 11:16	Powell, Hartley 11-06-2018 (00:00:03)	Powell.4
11:16	Turn to Page 27 of Exhibit 1.	205.30
11:23 - 11:24	Powell, Hartley 11-06-2018 (00:00:02)	Powell.70
11:23	Q. What does that say?	
11:24	A. Law changes.	
12:5 - 12:7	Powell, Hartley 11-06-2018 (00:00:03)	Powell.71
12:5	Q. Well, do you see the Number 19 under	
12:6	there?	

Page/Line	Source	ID
12:11 - 12:14	12:7 A. I do see that. Powell, Hartley 11-06-2018 (00:00:10) 12:11 It says: Please review the laws chart 12:12 to determine ways agency operations may be less 12:13 burdensome or outcomes improved from changes to any 12:14 of the laws.	Powell.72
12:22 - 13:13	Powell, Hartley 11-06-2018 (00:00:48) 12:22 Q. And then it says: Afterward, list any 12:23 laws the agency recommends the committee further 12:24 evaluate. 12:25 Right? 13:1 A. You're accurate. 13:2 Q. Okay. And then there are a number of 13:3 subparagraphs below that and one of them asks for 13:4 the wording of the law, with recommended change 13:5 provided, and strike through and underline. 13:6 Right? 13:7 A. You are very accurate in your reading. 13:8 Q. Right. 13:9 And I'm also very accurate that those 13:10 were requests made by the Legislative Oversight 13:11 Committee to your department this year, right? 13:12 A. Um, I think I can agree with that. 13:13 Yeah, that's fine.	Powell.73
13:17 - 13:20	Powell, Hartley 11-06-2018 (00:00:11) 13:17 Q. Your agency did, in fact, respond to 13:18 those requests, right, about law changes? 13:19 A. Did we provide law changes to them? 13:20 Yes, we did.	Powell.74
14:2 - 14:13	Powell, Hartley 11-06-2018 (00:00:34) 14:2 Q. I want to focus on Number 7 which is 14:3 titled Marketplace Facilitator. 14:4 A. Okay. 14:5 Q. And that discussion begins on Page 33 14:6 of Exhibit 1? 14:7 A. Okay. 14:8 Q. Are you there, sir? 14:9 A. I am. 14:10 Q. Okay. And do you see a few headings 14:11 down there's a reference to something called draft	Powell.5 205.36

Page/Line	Source	ID
14:24 - 15:3	14:12 language? 14:13 A. I do. Powell, Hartley 11-06-2018 (00:00:12) 14:24 Q. And you understand, sir, that the 14:25 underlined and bolded information, that's 15:1 the -- those are the proposed changes to the 15:2 wording that your agency proposed this year, right? 15:3 A. I understand that.	Powell.75
15:22 - 16:1	Powell, Hartley 11-06-2018 (00:00:17) 15:22 Q. And then in this proposal that was made 15:23 this year, a new Paragraph 3 was added to the 15:24 definition of retailer, right? 15:25 A. Under this, there was a section on 3 16:1 that was added, yes, by operating a marketplace.	Powell.76
16:12 - 16:22	Powell, Hartley 11-06-2018 (00:00:31) 16:12 Q. But first of all did I correctly state 16:13 that the new proposed Paragraph 3 that you 16:14 added -- or you suggested adding -- this 16:15 year -- would include in the definition of 16:16 retailer, quote, Operating a marketplace as a 16:17 marketplace facilitator as defined in Code Section 16:18 12-36-71? 16:19 A. You're correct that we added a 3 here, 16:20 which is related to operating a marketplace as a 16:21 marketplace facilitator is defined in Code Section 16:22 12-36-71.	Powell.77
19:2 - 19:16	Powell, Hartley 11-06-2018 (00:00:43) 19:2 Q. Sir, you would agree that the 19:3 Department of Revenue, in 2018, proposed to the 19:4 Legislative Oversight Committee that a new 19:5 provision be added to Title 12 Chapter 36 of the 19:6 code and the new provision would be 12-36-71, 19:7 right? 19:8 A. As presented here, yes, that's correct. 19:9 Q. Okay. And you were in fact the one who 19:10 went over there and presented it, right? 19:11 A. I was not the only one. 19:12 Q. Right, but you were -- you were one of 19:13 the people who represented the Department in 19:14 presenting these recommended changes.	Powell.6

Page/Line	Source	ID
20:14 - 20:25	19:15 Fair? 19:16 A. Absolutely. Powell, Hartley 11-06-2018 (00:00:35) 20:14 Q. You -- in addition to the two changes 20:15 that we've discussed so far, which is adding 20:16 Paragraph 3 to 12-36-70, adding a new provision, 20:17 12-36-71, the Department also proposed an amendment 20:18 to the definition of gross proceeds, right? 20:19 A. You mean under Section 3 -- Section 20:20 12-36-1? Is that what you're talking about? 20:21 Q. Yes, sir. 20:22 A. We have put in there, from the sale of 20:23 tangible personal property sold through the 20:24 marketplace, facilitators marketplace, that's what 20:25 we proposed.	Powell.8
22:7 - 22:19	Powell, Hartley 11-06-2018 (00:00:34) 22:7 Q. Okay. And you're not disputing, sir, 22:8 that -- you know, putting aside the particular 22:9 stage in the legislative process that this proposed 22:10 legislation might be in, you're not disputing that 22:11 you, in fact, have advocated for the proposed 22:12 changes related to marketplace facilitator 22:13 legislation that we've just discussed? 22:14 A. Am I in agreement with what was 22:15 presented? Is that what you're asking? 22:16 Q. No, no, I'm asking whether you have 22:17 advocated for all of the changes that we've just 22:18 discussed. 22:19 A. Yes, I've advocated them.	Powell.9
30:13 - 30:22	Powell, Hartley 11-06-2018 (00:00:33) 30:13 Q. And as of the first quarter of 2016, 30:14 you would agree with me that the Department had 30:15 never issued any tax policy documents to explain 30:16 and clarify sales tax issues presented by 30:17 third-party transactions on online marketplaces? 30:18 A. I have no clue. 30:19 Q. As you sit here today, are you aware of 30:20 any policy documents to explain and clarify 30:21 third-party transactions on Amazon.com? 30:22 A. I have no clue.	Powell.12

Page/Line	Source	ID
31:5 - 31:8	Powell, Hartley 11-06-2018 (00:00:11) 31:5 Q. Okay. But have you ever issued any 31:6 guidance about online marketplace sales? 31:7 A. I'm not aware of any, but I don't know 31:8 that.	Powell.78
32:4 - 32:18	Powell, Hartley 11-06-2018 (00:00:38) 32:4 Q. We'll get to other states. I guess I'm 32:5 just asking if you looked at -- well, there was a 32:6 Legislative Oversight Committee review process this 32:7 year, right? 32:8 A. Yes. 32:9 Q. Okay. And as part of that, you and 32:10 your team looked at the existing South Carolina 32:11 Sales and Use Tax Act, right? 32:12 A. We did. 32:13 Q. Okay. And as we've talked about, you 32:14 looked at it specifically as it relates to sales on 32:15 online marketplaces, right? 32:16 A. We looked at it and we drafted some 32:17 proposed legislation. I think we've been over 32:18 that.	Powell.13
32:19 - 32:25	Powell, Hartley 11-06-2018 (00:00:45) 32:19 Q. The purpose of those recommendations 32:20 that we've been over is to, quote, ensure that 32:21 third-party sales will be subject to tax, right? 32:22 A. The purpose of the legislation was to 32:23 put something specific in our statute related to, 32:24 yes, collecting sales tax on third parties -- from 32:25 third-party suppliers -- with an internet retailer.	Powell.59
36:6 - 37:24	Powell, Hartley 11-06-2018 (00:01:49) 36:6 Q. Do you recognize Exhibit 2, sir? 36:7 A. I do. 36:8 Q. And these are in fact slides that you 36:9 used in a presentation to the House Oversight 36:10 Committee? 36:11 A. Correct. 36:12 Q. And this was on June 18th of 2018? 36:13 A. Yes. 36:14 Q. Okay. And you testified before the 36:15 Legislative Oversight Committee on that day, right?	Powell.14 202.1 - 202.27

36:16 A. I did.
 36:17 Q. And one of the things you will see on
 36:18 Slide 2 that you discussed that day was recommended
 36:19 law changes, right?
 36:20 A. Yes.
 36:21 Q. And you'll see on Slide 27, there was a
 36:22 discussion of an emerging issue, right?
 36:23 A. Yes, taxation of online retail sales --
 36:24 Q. Okay.
 36:25 A. -- that is correct.
 37:1 Q. And this was an emerging issue that you
 37:2 presented about to the Legislative Oversight
 37:3 Committee on June 18, 2018?
 37:4 A. That is correct.
 37:5 Q. Okay. And you told the committee that
 37:6 Amazon is a prime example of this emerging issue,
 37:7 right?
 37:8 A. That is correct.
 37:9 Q. And you reference the fact that there's
 37:10 litigation over third-party sellers, right?
 37:11 A. We did put sellers there.
 37:12 Q. Okay. You didn't say third-party
 37:13 suppliers, you said sellers, right?
 37:14 A. Sellers.
 37:15 Q. And what you told the committee on June
 37:16 18th, 2018 was that you needed legislative change
 37:17 about this issue, right?
 37:18 A. It does say that, need legislative
 37:19 change.
 37:20 Q. Okay. And the reason you needed
 37:21 legislative change was to ensure that online
 37:22 marketplace retailers collect/remit sales tax,
 37:23 right?
 37:24 A. That is correct.

38:5 - 38:10

Powell, Hartley 11-06-2018 (00:00:22)

Powell.15

202.31

38:5 Q. And the legislation is referenced again
 38:6 on Slide 31, right, proposed legislation?
 38:7 A. That is correct.
 38:8 Q. And there's a heading at the top called
 38:9 Recommended Law Changes, right?

38:21 - 39:7	38:10 A. That is correct. Powell, Hartley 11-06-2018 (00:00:33) 38:21 Q. But you do recognize as you sit here 38:22 that the slides that you used that day and showed 38:23 up on the screen to the committee said that the 38:24 purpose of the marketplace facilitator legislation 38:25 was to, quote, Ensure online marketplace retailers 39:1 collect/remit sales tax, right? 39:2 A. On the slide? 39:3 Q. 31. 39:4 A. Well, I mean, 31 doesn't say that. It 39:5 says: Ensure online marketplace retailers collect 39:6 and remit, is what it says. I don't disagree with 39:7 what's written.	Powell.79
42:5 - 42:13	Powell, Hartley 11-06-2018 (00:00:22) 42:5 Q. Do you know where this information came 42:6 from, these paragraphs about the taxation of online 42:7 retail sales that appear on Pages 7 and 8 of 42:8 Exhibit 1? 42:9 A. Yes, it came from the Department of 42:10 Revenue. 42:11 Q. So that wasn't drafted by the 42:12 Legislative Oversight Committee; was it? 42:13 A. No, I don't believe so.	Powell.16
45:9 - 45:18	Powell, Hartley 11-06-2018 (00:00:27) 45:9 Q. So you approved the language about 45:10 taxation of online retail sales before it went into 45:11 the Program Evaluation Report? 45:12 A. Yes. 45:13 Q. And you approved the language in the 45:14 proposed recommended law change about marketplace 45:15 facilitators before it went in the Program 45:16 Evaluation Report? 45:17 A. I did, I'm just not aware of this 45:18 particular...	Powell.81
46:1 - 46:4	Powell, Hartley 11-06-2018 (00:00:12) 46:1 Q. Exhibit 4 is an e-mail from Samantha 46:2 Skeeter to Laura Watts and Virginia Wetzel. It's 46:3 dated June 13, 2018 at 1:31 p.m. 46:4 A. Okay.	Powell.19 209.1

Page/Line	Source	ID
49:3 - 49:16	Powell, Hartley 11-06-2018 (00:00:31) 49:3 example -- excuse me -- Exhibit 4, this is an 49:4 example of a draft of the information submitted by 49:5 the Department of Revenue in connection with this 49:6 LOC Program Evaluation Report, right? 49:7 A. Yeah. 49:8 Q. Okay. And the draft that was 49:9 circulated within the agency says the language that 49:10 we've seen before on the second page of the 49:11 document, that the contents of this report are 49:12 considered sworn testimony from the agency 49:13 director. 49:14 Right? 49:15 A. I'm reading what it said and you read 49:16 it correctly.	Powell.20 209.3 - 209.4
50:5 - 50:8	Powell, Hartley 11-06-2018 (00:00:09) 50:5 A. I knew that every time I spoke to the 50:6 Legislative Oversight Committee I was under sworn 50:7 testimony and I assumed that anything that I 50:8 submitted to them would be truthful as well.	Powell.82
51:18 - 53:1	Powell, Hartley 11-06-2018 (00:02:01) 51:18 Q. All right, sir, we've talked about 51:19 Exhibit 4. We've got another exhibit here which is 51:20 5 and it's an e-mail from Virginia Wetzel on June 51:21 13th. This one is at 4:04 p.m. 51:22 A. Okay. 51:23 Q. And this is another version of this 51:24 Program Evaluation Report document that we've been 51:25 looking at, right? 52:1 A. It seems to be. 52:2 Q. Okay. And this one also says on the 52:3 second page of the substantive document that it 52:4 represents the sworn testimony of the agency 52:5 director, right? 52:6 A. It does say that. 52:7 Q. Okay. And this one also says on Page 52:8 33 that, quote, there is no law related to taxation 52:9 of third-party sales, right? 52:10 A. It does say that. 52:11 Q. Okay, so we have that in Exhibit 5.	Powell.21 208.1 ... 205.36

Page/Line	Source	ID
	52:12 And Exhibit 4 that we've already talked 52:13 about, it has the sworn testimony language, Exhibit 52:14 4 also says on Page 33, There is no law relating to 52:15 taxation of third-party sales. 52:16 Right? 52:17 A. It says that. 52:18 Q. Okay. And then that language is also 52:19 in Exhibit 1, the Program Evaluation Report itself, 52:20 right? 52:21 A. That is my understanding. 52:22 Q. Okay. And drafts of these documents 52:23 were circulated among your senior-most staff at the 52:24 agency, right? 52:25 A. Among our LOC ad hoc committee we put 53:1 together, yes.	
81:12 - 81:16	Powell, Hartley 11-06-2018 (00:00:09) 81:12 Q. Okay. You would agree with me, though, 81:13 that Exhibit 7 appears to reflect a change in the 81:14 Department's policy with regard to -- 81:15 A. I have not read that. I couldn't agree 81:16 with you.	Powell.29 134.2
81:25 - 82:7	Powell, Hartley 11-06-2018 (00:00:22) 81:25 Q. Do you agree with me that Exhibit 7 82:1 appears to reflect an announcement by the 82:2 Department that the Department was, quote, now as 82:3 of February 23rd, 2018, going to begin accepting 82:4 retail sales applications from -- from 82:5 third-party -- and the term used here is suppliers 82:6 of products sold on Amazon.com to SC purchasers? 82:7 A. I agree that's what it says.	Powell.30
82:19 - 82:24	Powell, Hartley 11-06-2018 (00:00:15) 82:19 Q. And do you believe that this is in fact 82:20 the current policy, that a third party whose items 82:21 are offered for sale on Amazon.com -- 82:22 A. I agree that the SCDOR now accepts 82:23 retail sales tax applications from third-party 82:24 suppliers for products sold on Amazon.	Powell.83
114:18 - 114:23	Powell, Hartley 11-06-2018 (00:00:26) 114:18 Q. Okay. And the marketplace facilitator 114:19 definition, would you agree with me that this	Powell.41

Page/Line	Source	ID
	114:20 fairly captures, at least, the business of Amazon	
	114:21 as you understand it and as you've testified about?	
	114:22 A. I think it accurately evidently	
	114:23 captures online marketers.	
115:7 - 115:10	Powell, Hartley 11-06-2018 (00:00:12)	Powell.84
	115:7 What I'm asking you is whether this new	
	115:8 provision encapsulates or covers your understanding	
	115:9 of the business of Amazon.	
	115:10 A. Well, it seems to.	
127:16 - 128:20	Powell, Hartley 11-06-2018 (00:00:44)	Powell.49
	127:16 Q. So if you go to Page 3 of 47, it's the	207.5
	127:17 fifth page of the exhibit.	
	127:18 Do you see that?	
	127:19 A. 3 of 47?	
	127:20 Q. Yeah, it happens to be the fifth page	
	127:21 of the exhibit.	
	127:22 A. I've got it.	
	127:23 Q. Do you see at the top right under	
	127:24 agenda it says: South Carolina House of	
	127:25 Representatives?	
	128:1 A. I do.	
	128:2 Q. And there's an embossed seal of the	
	128:3 House of Representatives, right?	
	128:4 A. Yes, I see it.	
	128:5 Q. And then it says Legislative Oversight	
	128:6 Committee, right?	
	128:7 A. Yes.	
	128:8 Q. That's the committee we've been talking	
	128:9 about; isn't it?	
	128:10 A. That is what's stated here, yes.	
	128:11 Q. Okay. And then underneath that there	
	128:12 is a subcommittee, right?	
	128:13 A. Uh-huh.	
	128:14 Q. And do you believe that that	
	128:15 subcommittee is part of the Legislative Oversight	
	128:16 Committee?	
	128:17 A. Yes.	
	128:18 Q. And you know who the chairman is,	
	128:19 right, the Honorable Bruce Bannister?	
	128:20 A. Uh-huh.	

Page/Line	Source	ID
129:7 - 130:1	Powell, Hartley 11-06-2018 (00:00:40) 129:7 Q. Do you see on Page 40 of 47 of Exhibit 129:8 9... 129:9 A. Yeah. 129:10 Q. Are you there? 129:11 A. I am. 129:12 Q. Do you see that, again, this 129:13 recommended marketplace facilitator legislation is 129:14 discussed, right? 129:15 A. Okay, I see that. 129:16 Q. Is that right? 129:17 A. Yes, that's what it says, Number 7, 129:18 marketplace facilitator, yes. 129:19 Q. Right. And again there's a summary of 129:20 current law in this document, correct? 129:21 A. Yes, it is stated -- I state a summary, 129:22 yes. 129:23 Q. Okay. And what does this summary of 129:24 current law say? 129:25 A. There's no law related to taxation of 130:1 third-party sales.	Powell.64 207.42 - 207.1
132:13 - 132:17	Powell, Hartley 11-06-2018 (00:00:19) 132:13 Exhibit 11, this is a set of materials 132:14 from the same subcommittee. There was a meeting on 132:15 September 10th, 2018, apparently. 132:16 Do you agree with me? 132:17 A. I do agree with you.	Powell.53 203.1 - 203.46
134:5 - 134:10	Powell, Hartley 11-06-2018 (00:00:17) 134:5 Do you agree with me that Exhibit 11 134:6 dated September 10, 2018, states, summary of 134:7 current law, there is no law related to taxation of 134:8 third-party sales? 134:9 A. I agree that it is written on here 134:10 under summary of current law.	Powell.66 203.46
134:16 - 134:20	Powell, Hartley 11-06-2018 (00:00:12) 134:16 Okay. Here is Exhibit 10. 134:17 A. Okay. 134:18 Q. And this is another agenda from a 134:19 Legislative Oversight Committee hearing, right? 134:20 A. It is.	Powell.54 192.1

Page/Line	Source	ID
134:25 - 135:3	Powell, Hartley 11-06-2018 (00:00:05) 134:25 Q. October 23rd, 2018? 135:1 A. Yeah, yeah. 135:2 Q. And did you attend? 135:3 A. I did.	Powell.85
135:7 - 135:11	Powell, Hartley 11-06-2018 (00:00:12) 135:7 Q. And were recommendations made at this 135:8 hearing by various subcommittees? 135:9 A. Well, the recommendations here were 135:10 made by the chairman of the subcommittee, Bruce 135:11 Bannister.	Powell.86
140:3 - 141:14	Powell, Hartley 11-06-2018 (00:01:48) 140:3 Q. And as you sit here today, is there 140:4 anything within this discussion on Page 485 under 140:5 Recommendation 5 with which you disagree? 140:6 A. I don't know. I haven't -- I would 140:7 have to study it. 140:8 Q. Well, let's just start with the first 140:9 sentence. 140:10 A. Go ahead. 140:11 Q. Is there anything in the first sentence 140:12 that you disagree with? 140:13 A. It sounds good to me. 140:14 Q. How about the second sentence where it 140:15 says, Without this ability DOR would have the right 140:16 to collect sales tax directly from some third-party 140:17 sellers, but it predicts that the significant 140:18 administrative burden of collecting from so many 140:19 individuals and companies would result in a large 140:20 percentage of these taxes going uncollected. 140:21 Is that accurate? 140:22 A. I think that there would be a 140:23 significant administrative burden in collecting. 140:24 That is an accurate statement. 140:25 Q. The next sentence says, As an example 141:1 of the potential impact of this statutory change on 141:2 sales tax revenues, DOR estimates that if there had 141:3 been a law like this in 2016, Amazon's additional 141:4 sales tax liability would have been 57 million 141:5 dollars.	Powell.65

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141:6 Do you see that?

141:7 A. I do.

141:8 Q. And do you recognize that 57 million

141:9 dollar estimate?

141:10 A. Not really, I don't.

141:11 Q. Do you have any reason to doubt that

141:12 that's a DOR estimate, as Chairman Bannister said?

141:13 A. I really don't have any reason to doubt

141:14 it. I don't know how he does his math.

Amazon Direct Testimony = 00:22:02

Total Time = 00:22:02

Documents Shown

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Retroactive Application Only Against Amazon Services



Senator Talley: When you talk about that Marketplace Legislation, that would only be prospective though, right?

Powell: Absolutely, it would not be retroactive, right. We're losing money now. The lawsuit's going to bring up some retroactivity, okay...

Senator Talley: Right, specific to...

Powell: Specific to that one company, I haven't said their name.

Oct. 23, 2018 Senate Joint Finance and Education Study Testimony of Department Director Hartley Powell.

**Hearing
Exhibit
214**