COMMITTEE REPORT

March 28, 2019

**S. 649**

Introduced by Senator Alexander

S. Printed 3/28/19--S. [SEC 3/29/19 12:43 PM]

Read the first time March 13, 2019.

**THE COMMITTEE ON LABOR, COMMERCE AND INDUSTRY**

To whom was referred a Bill (S. 649) to change the effective date for amendments to Sections 40-57-115, 40-57-340, and 40-57-510(F) and, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, page 1, by striking lines 32 through 34 and inserting:

/check as a condition of licensure renewal. Each of the provisions contained in Act 60 of 2017 identified herein is effective for initial license applications or renewals due on or after July 1, 2020. /

Renumber sections to conform.

Amend title to conform.

THOMAS C. ALEXANDER for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**Introduced on March 13, 2019**

**State Expenditure**

This bill changes the effective date for the provisions contained in Act 60 of 2017 from May 19, 2020, to July 1, 2020. The Act requires certain real estate professionals, property managers, and property managers-in-charge to undergo criminal background checks as a condition of initial licensure and license renewals.

**Department of Labor, Licensing and Regulation.** This bill changes the effective date of the provisions contained in Act 60 of 2017 to coincide with the licensure renewal date for real estate professionals. Real estate professionals are licensed by the Real Estate Commission, which is under the administration of LLR. LLR indicates that changing the effective date of these provisions does not alter the regulatory responsibilities of the commission. Therefore, this bill will have no expenditure impact on LLR or the commission.

**State Law Enforcement Division.** SLED conducts criminal background checks for applicants seeking licensure with the Real Estate Commission. The agency reports that this bill will have no expenditure impact because the bill charges the agency with responsibilities which can be managed within existing appropriations.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO CHANGE THE EFFECTIVE DATE FOR AMENDMENTS TO SECTIONS 40-57-115, 40-57-340, AND 40-57-510(F) AND (G) OF THE 1976 CODE CONTAINED WITHIN ACT 60 OF 2017, ALL RELATING TO THE ADDITION OF CRIMINAL BACKGROUND CHECKS TO LICENSURE REQUIREMENTS FOR REAL ESTATE PROFESSIONALS, FROM MAY 19, 2020, TO JULY 1, 2020.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 60 of 2017 amended Chapter 40, Title 57 of the 1976 Code by adding Section 40-57-115 to provide that certain real estate professionals must undergo criminal background checks for initial applications for licensure and for licensure renewals; amended Section 40-47-340 of the 1976 Code to include a requirement that certain real estate professionals must undergo a criminal background check as a condition of licensure renewal; and amended Section 40-57-510 of the 1976 Code by adding subsections (F) and (G) to include a requirement that property managers and property managers-in-charge must undergo a criminal background check as a condition of licensure renewal. Each of the provisions contained in Act 60 of 2017 identified herein are effective July 1, 2020.

SECTION 2. This act takes effect upon approval by the Governor.

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