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Statutory Authority: 41-43-90

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- 01/12/2021 Received by Lt. Gov & Speaker 05/12/2021

H 01/12/2021 Referred to Committee

S 01/12/2021 Referred to Committee

S 02/17/2021 Resolution Introduced to Approve 566

H 04/28/2021 Committee Requested Withdrawal

 120 Day Period Tolled

- 03/21/2022 Withdrawn and Resubmitted 04/10/2022

S 04/05/2022 Committee Requested Withdrawal

 120 Day Period Tolled

- 04/05/2022 Withdrawn and Resubmitted 04/25/2022

S 04/07/2022 Resolution Introduced to Approve 1250

- 04/25/2022 Approved by: Expiration Date

- 05/27/2022 Effective Date unless otherwise

 provided for in the Regulation

Document No. 4993

**South Carolina Jobs‑Economic Development Authority**

CHAPTER 68

Statutory Authority: 1976 Code Section 41‑43‑90

68‑10 through 68‑65. South Carolina Jobs‑Economic Development Authority.

**Synopsis:**

The South Carolina Jobs‑Economic Development Authority (JEDA) proposes to amend Regulations 68-10 to reflect current business practices and 68-30 to codify its current fee schedule and to repeal Regulations 68‑15, 68-20, 68-25, 68-35, 68-45, 68-55, and 68‑65 in their entirety. These Regulations are obsolete and, in some instances, not consistent with current state and federal laws.

A Notice of Drafting for the proposed changes to Regulation 68‑10 through 68‑65 was published in the *State Register* on February 28, 2020.

**Instructions:**

Print the regulations as shown below.

**Text:**

CHAPTER 68

South Carolina Jobs‑Economic Development Authority

(Statutory Authority: 1976 Code Section 41‑43‑90 (1983 Supp))

68–10. Loan Eligibility Requirements.

 A. The South Carolina Jobs‑Economic Development Authority will make economic development bond loans, on either a tax‑exempt or taxable basis, and loans from any other program funds which become available, to manufacturing, industrial, research, service, commercial and other businesses:

 (1) Are located in South Carolina; and

 (2) Create or maintain jobs in South Carolina.

 B. Repealed.

68–15. Repealed.

68–20. Repealed.

68–25. Repealed.

68–30. Costs and Fees.

 All fees, including but not limited to accountant’s fees, attorney’s fees, feasibility studies, appraisals, and other costs will be expenses of the applicant.

 Issuer Fee Schedule is as follows:

 A. Application Fee $1,000 –non-refundable and in addition to issuer fees shown below.

 B. Standard Issuer Fee:

 (1) 12.5 basis points (.00125) times the bond amount;

 (2) Minimum fee is $3,000;

 (3) Applies to all private activity bonds (except Hospital and 501(c)(3) bonds), solid waste bonds, and bonds using volume cap allocation.

 C. Hospital & 501(c)(3) Issuer Fee:

 (1) Sliding Fee based on the following calculation:

 (a) $10 million or less: 12.5 basis points (.00125) times the bond amount;

 (b) $10 million – $50 million: $12,500 plus 8 basis points (.0008) times bond amount over $10 million;

 (c) $50 million - $100 million: $44,500 plus 4 basis points (.0004) times bond amount over $50 million;

 (d) Over $100 million: $64,500 plus 2 basis points (.0002) times bond amount over $100 million;

 (e) Minimum Fee $3,000.

 D. Annual Fee:

 (1) An annual fee is assessed on the outstanding balance on the anniversary date of each bond;

 (2) The fee is 1.5 basis points of the outstanding balance;

 (3) Minimum Fee is $500; Maximum Fee is $10,000;

 (4) Maximum Annual Fee per Borrower is $25,000.

 E. Modification/Reissue Fee:

 (1) 50% of applicable Issuer Fee.

68–35. Repealed.

68–45. Repealed.

68–55. Repealed.

68–65. Repealed.

**Fiscal Impact Statement:**

JEDA does not anticipate additional costs to the State or its political subdivisions as a result of the proposed amendments and repeal of Regulation 68‑10 through 68‑65.

**Statement of Rationale:**

The South Carolina Jobs‑Economic Development Authority (JEDA) proposes to amend Regulations 68-10 to reflect current business practices and 68-30 to codify its current fee schedule and to repeal Regulations 68‑15, 68-20, 68-25, 68-35, 68-45, 68-55, and 68‑65 in their entirety. These Regulations are obsolete and, in some instances, not consistent with current state and federal laws.