

1983 WL 182090 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 26, 1983

\*1 John T. Watkins

Director

South Carolina Residential Home Builders Commission

2221 Devine Street

Suite 312

Columbia, South Carolina 29205

Dear Mr. Watkins:

You have inquired as to whether the Residential Home Builders Commission has authority to prorate the annual license fee required of residential home builders. [Section 40-59-70\(b\), S.C. CODE ANN.](#) provides in part:

[A]ll licenses shall be issued or renewed upon the payment to the Commission of the annual license fee.

The annual license fee shall be for the period of twelve months beginning July first of each year.

While the Commission has authority to increase or decrease the annual license fee, it has no authority to charge any licensee a sum less than the full annual fee. Accordingly, you cannot prorate the annual license fee for persons who will be licensed for a period less than full year.

Sincerely,

W. Joseph Isaacs

Assistant Deputy Attorney General

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