



**SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE**  
**STATEMENT OF ESTIMATED FISCAL IMPACT**  
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**Bill Number:** S. 0094 Introduced on January 10, 2017  
**Author:** Gregory  
**Subject:** Modification, Confirmation, and Termination of Alimony  
**Requestor:** Senate Judiciary  
**RFA Analyst(s):** Heineman and Gardner  
**Impact Date:** February 17, 2017

**Estimate of Fiscal Impact**

	<b>FY 2017-18</b>	<b>FY 2018-19</b>
<b>State Expenditure</b>		
General Fund	\$0	\$0
Other and Federal	\$0	\$0
Full-Time Equivalent Position(s)	0.00	0.00
<b>State Revenue</b>		
General Fund	\$0	\$0
Other and Federal	\$0	\$0
<b>Local Expenditure</b>	\$0	\$0
<b>Local Revenue</b>	\$0	\$0

**Fiscal Impact Summary**

This bill will have no expenditure impact on the General Fund, Federal Funds, or Other Funds, as the bill is not expected to increase the number of court hearings.

**Explanation of Fiscal Impact**

**State Expenditure**

This bill establishes factors family courts must consider when determining if circumstances have changed since an alimony decree, so as to warrant a modification or termination of alimony. These factors include but are not limited to substantial change in active or passive income, net worth, earning potential, or expenses of either spouse; modification of child support obligations; the impact of the supporting spouse’s health on his ability to pay; and retirement. The bill also adds new factors the family court shall consider in cases where a hearing has been requested due to the retirement of a supporting spouse. These new factors include but are not limited to the income and assets of either spouse, the reason for retirement, and whether the supporting spouse has reached full retirement age. Payment of alimony for a period that exceeds the duration of the marriage constitutes sufficient grounds for the family court to modify, terminate, or establish a fixed duration of time for any further payment obligation. If the family court finds changed circumstances, the court may also apply factors under existing law regarding the award of alimony and other allowances.

**Judicial Department.** The department does not anticipate a change in the number of hearings held in family court, because of judges having specific factors to consider when deciding if circumstances have changed to warrant a modification or termination of alimony. In addition, the

department does not anticipate a significant change in the number of hearings, because payment of alimony beyond the duration of the marriage becomes sufficient grounds to modify or terminate alimony, or set a fixed alimony payment period. If any significant increase occurs, the affect will be to increase the court backlog, but not expenditures. Therefore, this bill will not have an expenditure impact on the General Fund, Other Funds, or Federal Funds.

**State Revenue**

N/A

**Local Expenditure**

N/A

**Local Revenue**

N/A



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Frank A. Rainwater, Executive Director