



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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This fiscal impact statement is produced in compliance with the South Carolina Code of Laws and House and Senate rules. The focus of the analysis is on governmental expenditure and revenue impacts and may not provide a comprehensive summary of the legislation.

Bill Number: H. 4871 Introduced on January 17, 2024
Author: Hardee
Subject: Farm Animal Transport
Requestor: House Agriculture, Natural Resources, and Environmental Affairs
RFA Analyst(s): Vesely
Impact Date: January 30, 2024

Fiscal Impact Summary

This bill adds Section 47-9-420, which makes it a misdemeanor to stop, hinder, obstruct, or otherwise interfere with a motor vehicle transporting farm animals, without the prior consent of the driver of the transportation vehicle. This misdemeanor is punishable by a fine of no less than \$50 and no more than \$500, and/or by imprisonment for no less than 30 days or no more than one year. Law enforcement, firefighters, paramedics, other emergency personnel, and any other persons permitted by law, are exempt from this law if acting within the scope of their duties.

This bill will have no expenditure impact for Judicial. Judicial reports that implementation of this bill may result in an increase in the general sessions workload, however, it is anticipated that any increase can be handled in existing appropriations. Also, the Commission on Prosecution Coordination and the Commission on Indigent Defense (CID) anticipate that their workloads may increase but expect to handle this within existing appropriates. However, CID stated that if this bill results in a significant increase in the workload, the agency may request an increase in General Fund appropriations.

This bill may increase in the number of inmates housed by the Department of Corrections (Corrections). No data are available to estimate the increase in the number of inmates that may be housed as a result of this bill. According to Corrections, in FY 2022-23, the annual total cost per inmate was \$37,758, of which \$34,570 was state funded. However, as the potential increase in incarcerations is unknown, any expenditure impact for Corrections is undetermined. Corrections indicates that if the bill results in a significant increase in the inmate population, the agency will request an increase in General Fund appropriations.

The Revenue and Fiscal Affairs Office (RFA) anticipates that this bill may result in an increase in local expenditures due to a potential increase in the local jail population resulting from the newly created misdemeanor offense, which is punishable by imprisonment or a fine, or both. However, as the number of such offenses that might occur in a given year is unknown, the potential increase in the local jail population and in local expenditures is undetermined.

As this bill creates new offenses, it may generate additional General Fund, Other Funds, and local fine revenue. However, as the number of such offenses that may occur in a given year and

the resulting fines and fees that may be assessed are unknown, the revenue impact is undetermined.

Explanation of Fiscal Impact

Introduced on January 17, 2024

State Expenditure

This bill adds Section 47-9-420, which makes it a misdemeanor to stop, hinder, obstruct, or otherwise interfere with a motor vehicle transporting farm animals, without the prior consent of the driver of the transportation vehicle. This misdemeanor is punishable by a fine of no less than \$50 and no more than \$500, and/or by imprisonment for no less than 30 days or no more than one year. Law enforcement, firefighters, paramedics, other emergency personnel, and any other persons permitted by law are exempt from this law if acting within the scope of their duties.

Judicial. Judicial reports that implementation of the bill may result in an increase in general sessions court caseloads, but it can be managed using existing staff and appropriations. Therefore, the bill will result in no expenditure impact.

Commission on Prosecution Coordination. This bill creates a new offense, which could result in an increase in the number of cases handled by state prosecutors. The agency indicates that they expect to manage any additional workload with existing staff and resources.

Commission on Indigent Defense. This bill creates a new offense, which could result in an increase in the number cases handled by CID. The agency indicates that this bill does not appear to significantly increase workload and expects to handle it with existing staff and resources. However, if this bill results in a significant increase in the workload, the agency may request an increase in General Fund appropriations.

Department of Corrections. This bill may result in an increase in the number of inmates housed by Corrections. However, no data are available to estimate the increase in the number of inmates that may be housed by Corrections. According to Corrections, in FY 2022-23, the annual total cost per inmate was \$37,758, of which \$34,570 was state funded. However, as the potential increase in incarcerations is unknown, any expenditure impact for Corrections is undetermined. Corrections indicates that if this bill results in a significant increase in the inmate population, the agency will request an increase in General Fund appropriations.

State Revenue

This bill may result in an increase in the fines and fees collected in court. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, the Revenue and Fiscal Affairs Office (RFA) anticipates this bill may result in an undetermined impact to General Fund and Other Funds revenue due to the increase in fines and fees collections in court.

Local Expenditure

RFA anticipates that this bill may result in an increase in local expenditures due to a potential increase in the local jail population resulting from the newly created misdemeanor punishable by imprisonment for not more than one year or a fine of not more than \$500, or both. However, as the number of incarcerations that might occur in a given year is unknown, the potential increase in the local jail population and local expenditure is undetermined.

Local Revenue

This bill may result in an increase in the fines and fees collected in court. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, RFA anticipates this bill may result in an undetermined impact to local revenue due to the increase in fines and fees collections in court.



Frank A. Rainwater, Executive Director