COMMITTEE REPORT

February 3, 2010

**S. 935**

Introduced by Senators Reese and S. Martin

S. Printed 2/3/10--S.

Read the first time January 12, 2010.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 935) to amend Section 23‑3‑115, as amended, Code of Laws of South Carolina, 1976, relating to fees for criminal record searches conducted by the State Law Enforcement Division, etc., respectfully

**REPORT:**

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

JOHN L. SCOTT, JR. for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

See Below

**EXPLANATION OF IMPACT:**

State Law Enforcement Division (SLED)

Enactment of this bill would impact other funds expenditures to the extent other funds revenue decreases upon enactment. SLED estimates this bill would reduce other funds revenue annually by approximately $396,780 assuming the fee would be reduced by $17 (from $25 to $8) for an estimated 23,340 school district volunteers. This assumes 20 volunteers per school annually.

State Department of Education (SDE)

SDE estimates there will be no fiscal impact for their agency.

**SPECIAL NOTES:**

In accordance with section 23-3-115 (A) SLED remits the first $4,461,000 of criminal records search revenue to the General Fund of the State and retains the balance to assist in covering agency operating expenses. The Board of Economic Advisors is the appropriate entity to address any general fund revenue impact associated with this or any other bill.

*Approved By:*

Harry Bell

Office of State Budget

**A** **BILL**

TO AMEND SECTION 23‑3‑115, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FEES FOR CRIMINAL RECORD SEARCHES CONDUCTED BY THE STATE LAW ENFORCEMENT DIVISION, SO AS TO PROVIDE THAT A FEE OF EIGHT DOLLARS SHALL BE CHARGED FOR EACH CRIMINAL RECORD SEARCH CONDUCTED ON A SCHOOL DISTRICT VOLUNTEER.

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

SECTION 1. Section 23‑3‑115 of the 1976 Code, as last amended by Act 353 of 2008, is further amended by adding at the end:

“(C) The fee allowed in subsection (A) is fixed at eight dollars if the criminal record search is conducted on school district volunteer.”

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

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