



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE

STATEMENT OF ESTIMATED FISCAL IMPACT

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Bill Number: S. 0282
 Author: Massey
 Requestor: Senate Judiciary
 Date: March 19, 2015
 Subject: Noneconomic damages limit
 RFA Analyst(s): Shealy

Estimate of Fiscal Impact

	FY 2015-16	FY 2016-17
State Expenditure		
General Fund	Minimal	N/A
Other and Federal	\$ 0	N/A
Full-Time Equivalent Position(s)	0.00	0.00
State Revenue		
General Fund	N/A	N/A
Other and Federal	N/A	N/A
Local Expenditure	N/A	N/A
Local Revenue	N/A	N/A

Fiscal Impact Summary

This bill will have minimal impact, if any, on the General Fund, Federal Funds, or Other Funds.

Explanation of Fiscal Impact

State Expenditure

This bill provides for bifurcated trials for certain actions involving punitive damages, establishes the phase during certain trials that some civil liability claims must be heard, and amends the circumstances under which a seller of a defective product can be liable for harm caused by the product. Section 4 of the bill establishes that a land owner may be subject to liability for physical injury or death to a child trespasser under certain conditions.

The proposed changes in Section 5 related to sellers of defective products may increase the number of actions brought related to defective products. However, there are no data available which would allow the Judicial Department to determine how many additional hearings or trials, if any, would be held in Common Pleas court as a result of this bill. It is anticipated that the Judicial Department would absorb this cost. It is also anticipated that the passage of the bill could impact the Circuit court dockets due to additional hearings and trials. This bill will have minimal impact, if any, on the General Fund, Federal Funds, or Other Funds.

State Revenue


N/A

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director