



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: S. 916
Author: Malloy
Subject: Juvenile Justice Code Definitions
Requestor: Senate Judiciary
RFA Analyst(s): Gardner and Wren
Impact Date: March 17, 2016

Estimate of Fiscal Impact

	FY 2016-17	FY 2017-18
State Expenditure		
General Fund	\$15,957,376	\$5,277,234
Other and Federal	\$0	\$0
Full-Time Equivalent Position(s)	115.00	0.00
State Revenue		
General Fund	\$0	\$0
Other and Federal	\$0	\$0
Local Expenditure	(\$1,840,000)	(\$1,840,000)
Local Revenue	\$0	\$0

Fiscal Impact Summary

Senate Bill 916 will have a recurring and nonrecurring General Fund expenditure impact of \$15,957,376 for FY 2016-17, as well as a recurring General Fund expenditure impact of \$5,277,234 for FY 2017-18 and each year thereafter. There is no expenditure impact to Federal Funds or Other Funds. This bill will reduce local law enforcement expenses by \$1,840,000 in FY 2016-17 and each year thereafter.

Explanation of Fiscal Impact

State Expenditure

This bill changes the juvenile justice code definition of child and juvenile from less than seventeen years of age to less than eighteen years of age. It also provides that a person sixteen years of age who is charged with a Class A, B, C, or D felony or a felony having a maximum term of imprisonment of fifteen or more years be given the right to have the case remanded to family court. Further, it enables the circuit court to transfer to family court any cases involving children who are under the age of eighteen years at the time an alleged offense is committed; however, if such offense, when committed by an adult, would be considered a violent crime, the circuit court may retain jurisdiction. For a child under the age of eighteen who has been charged with certain offenses, the circuit court may bind over the child to whichever court would have trial jurisdiction had the offenses been committed by an adult.

Department of Juvenile Justice. The agency reports that this bill will increase General Fund expenditures by \$5,358,000 in recurring funds and \$10,680,142 in non-recurring funds in FY 2016-17. There will be no expenditure impact on Federal or Other Funds. Recurring funds will be used for additional operating costs and 115 new FTEs for intake and probation/parole staff to manage the increased youth population. The agency estimates it will receive referrals for over 3,000 seventeen year olds. Non-recurring funds will be used to construct a male living unit at the agency's Broad River Road Complex and a Regional Evaluation Center in the Pee Dee area, both of which will accommodate the increased youth population.

Department of Corrections. The South Carolina Department of Corrections (SCDC) reports that this bill would result in an \$80,766 savings to the General Fund, as seventeen year old inmates who had previously been housed at SCDC would now be served by the Department of Juvenile Justice. The department indicates that this bill would reallocate seventy inmates at an average cost of \$6.41 per day for an average of 180 days.

Judicial Department. The Judicial Department indicates that this bill would have no expenditure impact on the General Fund, Federal Funds, or Other Funds.

State Revenue

N/A

Local Expenditure

The Revenue and Fiscal Affairs Office contacted all forty-six county governments and the Municipal Association of South Carolina regarding the expenditure impact of this bill. Based on data obtained from county and municipal law enforcement agencies, it costs about \$53 per day to house seventeen year old inmates. The Department of Juvenile Justice reports that while there were 3,432 referrals of sixteen year olds to their county offices in FY 2014-15, only 1,157 were incarcerated for some period of time, with an average daily stay of approximately thirty days. Assuming seventeen year olds follow a similar pattern and the number of incarcerations remains steady, we estimate that this bill will reduce local law enforcement expenses by \$1,840,000 in FY 2016-17 and each year thereafter.

Local Revenue

N/A



Frank A. Rainwater, Executive Director