



**SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE**  
**STATEMENT OF ESTIMATED FISCAL IMPACT**  
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**Bill Number:** H. 3208 Amended by the House of Representatives on April 4, 2018  
**Author:** Pope  
**Subject:** Terrorism  
**Requestor:** Senate Judiciary  
**RFA Analyst(s):** Gardner  
**Impact Date:** May 22, 2018 - Updated for Additional Agency Response

**Estimate of Fiscal Impact**

	<b>FY 2018-19</b>	<b>FY 2019-20</b>
<b>State Expenditure</b>		
General Fund	Undetermined	\$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**

The expenditure impact of this bill, which creates the offense of furthering terrorism, is undetermined for the Department of Corrections given the lack of empirical data on the number of arrests and convictions for offenses of this nature and the judicial discretion in sentencing for these convictions.

This fiscal impact statement has been updated to include a response from the Department of Corrections.

**Explanation of Fiscal Impact**

**Amended by the House of Representatives on April 4, 2018**

**Updated for Additional Agency Response**

**State Expenditure**

This bill as amended defines the elements of the offense of terrorism and lists the penalty structure for this offense. The bill also creates the new felony offense of furthering terrorism, wherein a person makes significant plans or takes actions toward the commission of an act of violence with the intent to commit an act of terrorism. A person convicted of this offense must be imprisoned for not more than thirty years, and his sentence must be served consecutively to any sentence imposed on an underlying offense.

The bill also creates the new felony offense of providing material or financial support of an act of terrorism or concealment of the actions or plans of another to carry out an act of terrorism. This offense is punishable by a prison sentence of not more than twenty years. All real and

personal property used or intended for use in the course of, derived from, or obtained through a terrorism offense is subject to lawful seizure and forfeiture to the state.

**Judicial Department.** The department reports there is no data available to determine the number of additional hearings or trials that would be heard in general sessions courts. Should there be an increase in caseloads, the department indicates it will absorb any expenditure impact on the General Fund using current resources. In addition, the department anticipates that any increased caseloads in magistrates or municipal courts will be managed within their existing resources.

**Commission on Prosecution Coordination.** As the bill does not add to the duties of the commission, the implementation of this bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds.

**Commission on Indigent Defense.** As the bill does not add to the duties of the commission, the implementation of this bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds.

**Department of Corrections.** The department indicates the bill has the potential to increase the number of inmates incarcerated in the department's facilities if convicted of furthering terrorism. However, given the lack of empirical data on the number of arrests and convictions for this type of offense and the judicial discretion in sentencing for these convictions, the additional number of inmates that may be incarcerated by the department is unknown. Therefore, the expenditure impact of this bill on the General Fund, Other Funds, and Federal Funds is undetermined.

This section of the fiscal impact statement has been updated to include a response from the Department of Corrections.

**State Revenue**

N/A

**Local Expenditure**

N/A

**Local Revenue**

N/A

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**Commission on Indigent Defense.** As the bill does not add to the duties of the commission, the implementation of this bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds.

**Department of Corrections.** A determination of the bill's fiscal impact is pending, as the agency is still reviewing the bill.

**State Revenue**

N/A

**Local Expenditure**

N/A

**Local Revenue**

N/A



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Frank A. Rainwater, Executive Director