



**SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE**  
**STATEMENT OF ESTIMATED FISCAL IMPACT**  
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**Bill Number:** H. 3234 Amended by the House of Representatives on March 8, 2017  
**Author:** McEachern  
**Subject:** Residential Landlord and Tenant Act Exemptions  
**Requestor:** Senate Judiciary  
**RFA Analyst(s):** Gardner and Heineman  
**Impact Date:** May 2, 2017

**Estimate of Fiscal Impact**

	<b>FY 2017-18</b>	<b>FY 2018-19</b>
<b>State Expenditure</b>		
General Fund	\$0	\$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**

This bill will have no expenditure impact on the General Fund, Other Funds or Federal Funds, and is not expected to have an expenditure impact on local governments.

**Explanation of Fiscal Impact**

**Amended by the House of Representatives on March 8, 2017**

**State Expenditure**

This bill makes the South Carolina Residential Landlord and Tenant Act (act) applicable to occupancy of premises the occupant uses primarily for agricultural purposes. In addition, the bill excludes from coverage of the act occupancy by a landlord's independent contractors, when the contractors' right of occupancy is conditional upon employment in and about the premises.

**Judicial Department.** This bill deletes occupancy under a rental agreement covering premises used by an occupant primarily for agricultural purposes from exemption under the Residential Landlord and Tenant Act. This proposed change would have the effect of allowing such occupancy to be governed by the act. Any hearings or trials related to civil actions would be held in general sessions court or magistrates court. As the circuit court already has jurisdiction to hear these actions, the department anticipates there will be no expenditure impact on the General Fund or Other Funds.

**State Revenue**

N/A

**Local Expenditure**

The Revenue and Fiscal Affairs Office contacted twenty-three counties regarding the expenditure impact of this bill. Lancaster County indicated they should be able to handle any changes in hearings with existing resources, and Florence County indicated there will be no impact. Although there is no data currently available to estimate the effect this bill would have on the number of hearings that may be held in magistrate court, the change is not expected to be significant. Therefore, the Revenue and Fiscal Affairs Office expects the magistrate courts to manage any change within current resources and without an expenditure impact. If the number of additional hearings does increase significantly, the result could be a backlog of cases in magistrate court.

**Local Revenue**

N/A



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Frank A. Rainwater, Executive Director