



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: H. 4730 Introduced on January 30, 2018
Author: Ott
Subject: Solar Farm
Requestor: House Agriculture, Natural Resources, and Environmental Affairs
RFA Analyst(s): Wren
Impact Date: February 14, 2018

Estimate of Fiscal Impact

	FY 2018-19	FY 2019-20
State Expenditure		
General Fund	\$0	\$0
Other and Federal	\$0	\$0
Full-Time Equivalent Position(s)	0.00	0.00
State Revenue		
General Fund	Undetermined	\$0
Other and Federal	Undetermined	\$0
Local Expenditure	Undetermined	\$0
Local Revenue	Undetermined	\$0

Fiscal Impact Summary

This bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds since this bill requires the Public Service Commission and the Office of Regulatory Staff to perform activities within the normal course of agency business. The revenue impact on the General Fund, the expenditure impact on local governments, and the revenue impact on local governments are undetermined since the amount of penalties that may be assessed pursuant to noncompliance with Chapter 27 of Title 58 are unknown. Additionally, any fines, assessments, and surcharges imposed in the court system as a result of actions to recover penalties are undetermined and would be allocated among the General Fund, specified state agencies and programs, and local governments.

Explanation of Fiscal Impact

Introduced on January 30, 2018

State Expenditure

This bill requires an electrical utility, electric cooperative, governmental entity, corporation, or individual producing electricity for sale or distribution by operating a solar farm to build and maintain a vegetative buffer around the perimeter of the solar farm. A solar farm is defined as an energy facility or area of land used to convert solar energy into electricity to be used off site. A vegetative buffer is defined as an area of vegetation extending fifty feet from the outer perimeter of the solar farm. The buffer must have an opacity of no less than 60 percent and be capable of growing at least eight feet tall within two years.

Public Service Commission. The agency indicates that this bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds since the bill requires the agency to perform activities within the normal course of agency business.

Office of Regulatory Staff. The agency indicates that this bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds since the bill requires the agency to perform activities within the normal course of agency business.

State Revenue

Although this bill does not provide penalties for noncompliance of the provisions of this bill, Section 58-27-2410 allows a penalty of not less than \$100 nor more than \$5,000 for each offense for any person or corporation violating any provisions of Chapter 27 of Title 58, with the exception of Section 58-27-1530. Additionally, Chapter 103 in the Public Service Commission's Code of Regulations directs fines and penalties assessed by the Public Service Commission to the General Fund. Additionally, pursuant to Section 58-27-2440, actions to recover penalties under Chapter 27 of Title 58 will be brought by the Office of Regulatory Staff in any court of competent jurisdiction. Sections 14-1-207 and 14-1-208 distribute revenue generated from fines, assessments, and surcharges imposed for convictions in courts among the General Fund, specified state agencies and programs, and local governments. Since this bill imposes a new penalty, data is not available to determine the amount of penalties that may result from this bill. Therefore, the impact on General Fund and Other Funds revenue is undetermined.

Local Expenditure

Due to the dollar amount of the penalty associated with noncompliance of the provisions of this bill, we anticipate that any actions to recover penalties will be tried in municipal and magistrates court. Since this bill imposes a new penalty, data is not available to determine the number of additional proceedings that may be brought to municipal and magistrates courts. Therefore, the expenditure impact on local governments is undetermined.

Local Revenue

Due to the dollar amount of the penalty associated with noncompliance of the provisions of this bill, we anticipate that any actions to recover penalties will be tried in municipal and magistrates court. Sections 14-1-207 and 14-1-208 distribute revenue generated from fines, assessments, and surcharges imposed for convictions in courts among the General Fund, specified state agencies and programs, and local governments. Since this bill imposes a new penalty, data is not available to determine the amount of penalties that may result from this bill. Therefore, the revenue impact on local governments is undetermined.



Frank A. Rainwater, Executive Director