



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: S. 0131 Introduced on January 10, 2017
Author: McLeod
Subject: Disturbing Schools
Requestor: Senate Judiciary
RFA Analyst(s): Gardner
Impact Date: February 17, 2017

Estimate of Fiscal Impact

	FY 2017-18	FY 2018-19
State Expenditure		
General Fund	Pending	\$0
Other and Federal	Pending	\$0
Full-Time Equivalent Position(s)	0.00	0.00
State Revenue		
General Fund	\$0	\$0
Other and Federal	\$0	\$0
Local Expenditure	\$0	\$0
Local Revenue	\$0	\$0

Fiscal Impact Summary

Given that RFA is currently waiting on responses from several agencies, the fiscal impact of this bill is pending.

Explanation of Fiscal Impact

Introduced on January 10, 2017

State Expenditure

This bill relates to offenses involving the disturbance of schools and restructures the list of actions that constitute an offense. For persons who are not students, these actions are considered offenses: entry of a school or college without administrative permission, loitering on school grounds after receiving notice to vacate, initiating a physical assault on or fighting with another person on school grounds, continuing to be loud or boisterous after receiving instructions to cease, and threatening physical harm or the use of deadly force. The bill also increases the fines and imprisonment terms for convictions of these offenses from not more than one thousand dollars to not more than two thousand dollars, and not more than 90 days to not more than one year. Additionally, the bill vests the summary court with exclusive jurisdiction over school disturbance cases except in instances when the offender is a child; in this circumstance, the case will be heard in family court. These provisions do not apply during school-sponsored athletic events.

Judicial Department. Cases involving school disturbances are currently heard in summary court, circuit court, and family court, while the bill vests exclusive jurisdiction over these cases with the summary court. Data that was collected from all general sessions courts, all magistrates

courts, and approximately 27% of the municipal courts indicate that were 132 convictions for disturbing schools in South Carolina in FY 2015-16. The department reports it is unable to determine whether there will be an increase or decrease in the number of hearings held in summary or family courts as a result of the bill. Therefore, the expenditure impact is undetermined.

Commission on Indigent Defense. A determination of the bill's fiscal impact is pending, as the agency is still reviewing the bill.

Commission on Prosecution Coordination. A determination of the bill's fiscal impact is pending, as the agency is still reviewing the bill.

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

A determination of the bill's fiscal impact is pending, as local law enforcement agencies are still reviewing the bill.

Local Revenue

N/A



Frank A. Rainwater, Executive Director