



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: S. 0168 Amended by Senate Judiciary on January 24, 2017
Author: Shealy
Subject: Increase in Fines for the Solicitation of Prostitution
Requestor: Senate Judiciary
RFA Analyst(s): Gardner and Shuford
Impact Date: February 15, 2017

Estimate of Fiscal Impact

	FY 2017-18	FY 2018-19
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	\$0	\$0
Local Revenue	Undetermined	\$0

Fiscal Impact Summary

This bill increases the penalties for certain prostitution-related offenses. The bill does not have an expenditure impact on the General Fund, Federal Funds, or Other Funds. The revenue impact on the General Fund, Other Funds, and local governments of this bill is undetermined, given the judicial discretion permitted in this bill in choosing the amount of fines, imprisonment, or both for these prostitution convictions.

Explanation of Fiscal Impact

Amended by Senate Judiciary on January 24, 2017

State Expenditure

This bill increases fines for conviction of certain crimes related to prostitution. Generally, the bill increases the punishment for procuring or soliciting prostitution, causing or inducing a person to become a prostitute, establishing and keeping a house of prostitution, and transporting a person for the purposes of prostitution. The bill also establishes the affirmative defense of being a victim of human trafficking.

The Judicial Department and the State Law Enforcement Division anticipate no additional expenditure impact on the General Fund, Federal Funds, or Other Funds since the bill does not materially affect the number of court proceedings or level of law enforcement actions. Since the number of persons imprisoned would not increase, RFA anticipates no change in the prison population from this bill. In addition, the length of prison sentences are not changed by the bill, except for where the prostitute is severely or profoundly mentally disabled. Therefore, the bill would not have an expenditure impact on the General Fund, Federal Funds, or Other Funds.

State Revenue

This bill increases the punishment for conviction of certain crimes related to prostitution. The bill provides judges sentencing discretion including fines, imprisonment, or both. Revenue generated by the courts from fines, assessments, and surcharges imposed on persons convicted of prostitution activities would be distributed to the General Fund, specified state agencies and programs, and local governments in accordance with existing law. Given the judicial discretion permitted in this bill in choosing the amount of fines, imprisonment, or both for these prostitution convictions, we are unable to determine the revenue impact of this bill on the General Fund and Other Funds.

Local Expenditure

N/A

Local Revenue

The amount of local government revenue from fines, assessments, and surcharges imposed on persons convicted of prostitution activities is undetermined, given the judicial discretion permitted in this bill in choosing the amount of fines, imprisonment, or both for these prostitution convictions.



Frank A. Rainwater, Executive Director