



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number:	S. 0172	Introduced on January 10, 2018
Author:	Shealy	
Subject:	Strangulation	
Requestor:	Senate Judiciary	
RFA Analyst(s):	Gardner	
Impact Date:	February 7, 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	\$0	\$0
Other and Federal	\$0	\$0
Local Expenditure	\$0	\$0
Local Revenue	\$0	\$0

Fiscal Impact Summary

This bill will result in no expenditure impact on the General Fund, Other Funds, or Federal Funds.

Explanation of Fiscal Impact

Introduced on January 10, 2018

State Expenditure

This bill relates to offenses against the person by making it unlawful for an individual to strangle another person without his or her consent. Strangulation is defined as the restriction of air flow or blood circulation of a person by external pressure to the throat or neck or by blocking of the nose or mouth. A person convicted of the crime of strangulation is guilty of a felony and subject to imprisonment for not more than five years. The bill allows that an act constituting strangulation as a result of a legitimate medical procedure is an affirmative defense.

Judicial Department. This bill creates a new criminal offense for strangulation and provides for punishment as well as an affirmative defense in cases where the act is the result of a legitimate medical procedure. A conviction for unlawful strangulation is a felony offense punishable by a sentence of up to five years imprisonment. Unlawful strangulation offenses will be heard in general sessions court and may result in juvenile proceedings in family court. As the bill creates a new offense, there is no data with which to estimate the number of additional hearings or trials that may be initiated. Also, the conduct proposed by the bill appears to fall within offenses currently covered under existing law related to murder or manslaughter, attempted murder, and assault and battery, making it difficult to estimate whether additional

hearings or trials would result from the bill. Should there be an increase in caseloads, however, the department will absorb any expenditure impact within current resources.

Commission on Prosecution Coordination. The commission reports that as this bill creates a new offense, 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 commission will absorb any expenditure impact on the General Fund using current resources.

Commission on Indigent Defense. The commission reports that as this bill creates a new offense, 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 commission will absorb any expenditure impact on the General Fund using current resources.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director