



**SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE**  
**STATEMENT OF ESTIMATED FISCAL IMPACT**  
 (803)734-0640 • RFA.SC.GOV/IMPACTS

**Bill Number:** S. 0382 Introduced on February 8, 2017  
**Author:** Peeler  
**Subject:** Traffic Records  
**Requestor:** Senate Judiciary  
**RFA Analyst(s):** Heineman and Rainwater  
**Impact Date:** March 21, 2018

**Estimate of Fiscal Impact**

	FY 2018-19	FY 2019-20
<b>State Expenditure</b>		
General Fund	See Below	\$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>	See Below	\$0
<b>Local Revenue</b>	\$0	\$0

**Fiscal Impact Summary**

This bill would require all county clerks of courts to remove existing records and exclude future records of minor traffic violations from the public indexes within six months of enactment. Although this bill tasks the county clerks of courts with this responsibility, this record system is managed by Court Administration and primarily used by magistrate and municipal courts. Court Administration advises that General Fund expenditures could increase by an undetermined amount in order to identify the appropriate records for removal and make the necessary programming changes. Local summary courts that use a different vendor would also experience increased cost for the programming changes.

**Explanation of Fiscal Impact**

**Introduced on February 8, 2017**

**State Expenditure**

**Judicial Department.** The department operates and maintains the trial court electronic record system known as the Case Management System (CMS). Traffic violation ticketing information is included in the CMS, and this data is entered primarily by magistrate and municipal court clerks. County clerks of court sometime enter similar ticket violations in CMS when the traffic violation is part of a larger offense tried in circuit court. This bill would require the Department's IT Division to create a new case type identifier for use when entering new minor traffic violation charges in the CMS. These offenses would still be maintained in the overall CMS but the new case type identifier would be used to ensure that the information did not appear on the public index. The development and implementation of this new case type would require additional

General Fund expenditures for computer programmer time. In addition, there may be costs associated with an adjustment to the CMS/WEB interface. The additional expenditures to the department for this work is undetermined since the amount of software development needs further in-depth analysis. Finally, the department indicated that additional staff time may be required to identify which offenses may be deemed minor. While the bill specifies several code sections that should be included in the list of minor offenses, the department is concerned that the language in the bill may include other similar offenses and needs more review and analysis.

Further, the department indicates that the creation of a custom program to retroactively remove minor traffic violations from the public index in each county could be an expensive and long-term process. Even if the removal process is uniform in each county, the development and testing phase of this program is expected to exceed the six-month period specified in the bill. Additionally, the cost in both money and staff hours is difficult to calculate given the amount of software development which will be needed to bring the CMS into compliance with this bill.

**State Revenue**

N/A

**Local Expenditure**

Most, but not all, magistrate and municipal courts use the CMS system managed by the Judicial Department. To the extent the Judicial Department requires the assistance of magistrate, municipal, or circuit court clerks to identify relevant records for exclusion from the public index, additional staff time and resources could be required. For the magistrate and municipal courts that use a different vendor for managing their system, these courts would incur additional expenses for programming changes which are undeterminable at this point.

**Local Revenue**

N/A



---

Frank A. Rainwater, Executive Director