



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: S. 0449 Introduced on February 21, 2017
Author: Martin
Subject: South Carolina Constitutional Carry Act of 2017
Requestor: Senate Judiciary
RFA Analyst(s): Gardner and Heineman
Impact Date: May 4, 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	\$0	\$0
Other and Federal	\$0	\$0
Local Expenditure	\$0	\$0
Local Revenue	\$0	\$0

Fiscal Impact Summary

This bill will have no expenditure impact to the General Fund, Other Funds, Federal Funds, or local governments.

Explanation of Fiscal Impact

Introduced on February 21, 2017

State Expenditure

This bill enacts the South Carolina Constitutional Carry Act of 2017, which makes it lawful for a person to carry any concealed or unconcealed handgun, provided the person is not otherwise prohibited from owning, carrying, or purchasing a firearm as provided for by state or federal law. This bill provides carrying exceptions for those working in a law enforcement or legal capacity, and it establishes carrying location exceptions, such as schools, medical facilities, and courthouses. Any person who violates the provisions of the act may be charged with a violation of trespass, whereby convictions carry a fine of not more than \$200 or imprisonment for not more than 30 days.

The bill makes conforming changes by deleting references to the word concealed as it relates to a firearm, and replaces the term weapon with the term firearm. It also makes it lawful to securely store a firearm in a vehicle on the premises of a public school, college, university, technical college, or other post-secondary institution. Further, the bill allows a person to carry a firearm onto the premises of a business selling alcohol for consumption, provided the person does not consume alcohol while on the premises.

The bill also deletes the requirement that a concealed weapons permit holder have his permit on his person when he is carrying his firearm and provides that a concealed weapons permit holder must immediately report the loss or theft of his permit identification card to the State Law Enforcement Division. Violations of this provision constitute a misdemeanor offense carrying penalty of a \$25 fine.

Commission on Prosecution Coordination. The agency indicates this bill is not expected to materially alter the number of prosecutions brought by solicitors. The implementation of this bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds.

Commission on Indigent Defense. The agency indicates this bill is not expected to materially alter the number of legal representations for indigent defendants. The implementation of this bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds.

Judicial Department. This bill makes it lawful for the legal owner of a gun to carry it openly or in a concealed manner, with some exceptions. Should the bill result in an increase in the number of additional hearings or trials held in circuit court, it may lead to an increased backlog for the court as a whole. However, the department expects to manage any additional costs associated with an increase in caseloads within current resources.

Department of Corrections. The bill, which enacts the South Carolina Constitutional Carry Act of 2017, makes it lawful for a legal handgun owner to carry a handgun in the state in all locations except where firearms are prohibited and establishes penalties for gun law violations. The act removes many restrictions relating to the carrying of a handgun currently provided for in state law related to concealed weapons permit holders. While there is no data available to determine how many additional offenders may be incarcerated in South Carolina Department of Corrections (SCDC) facilities due to the bill, SCDC does not expect the bill to add a significant number of inmates to its population.

State Revenue

N/A

Local Expenditure

The Revenue and Fiscal Affairs Office (RFA) contacted twenty-three county governments and the Municipal Association of South Carolina (MASC) regarding the expenditure impact of this bill. RFA received zero responses from the counties and the MASC indicates there will be no impact beyond ensuring no weapons signs are posted on all government buildings, which can be managed using existing resources. Therefore, this bill would have no expenditure impact on local governments.

Local Revenue

N/A



Frank A. Rainwater, Executive Director