



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: S. 0802 Introduced on January 9, 2018
Author: Hutto
Subject: Breach of Trust
Requestor: Senate Judiciary
RFA Analyst(s): Gardner
Impact Date: March 15, 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

There is no data to estimate the number of hearings or trials that may be initiated as a result of the bill. Should there be an increased caseload in general sessions courts, the Judicial Department anticipates that any expenditure impact will be absorbed within existing resources. The Commission on Prosecution Coordination and Commission on Indigent Defense report that the bill does not add to their existing duties, therefore the bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds.

Explanation of Fiscal Impact

Introduced on January 9, 2018

State Expenditure

This bill creates new definitions related to offenses for breach of trust with fraudulent intent and obtaining signature or property by false pretenses. It also clarifies that the offense of breach of trust with fraudulent intent occurs when a person who has received in trust an interest holder's real or personal property and misappropriates, conceals, releases, destroys, or converts the property for his own benefit or the benefit of another non-interest holder. Additionally, the bill expands the offense of obtaining signature or property by false pretenses to include persons who fraudulently promise to perform.

Judicial Department. The department reports 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 department indicates it will absorb any expenditure impact

on the General Fund using current resources. In addition, we anticipate that any increased caseloads in magistrates or municipal courts will be managed within their existing resources.

Commission on Prosecution Coordination. As the bill does not add to the duties of the commission, the implementation of this bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds.

Commission on Indigent Defense. As the bill does not add to the duties of the commission, the implementation of this bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director