



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number:	H. 3046	Amended by House Judiciary on March 20, 2019
Author:	Pope	
Subject:	Terrorism	
Requestor:	Senate Judiciary	
RFA Analyst(s):	Gardner	
Impact Date:	April 30, 2019	

Fiscal Impact Summary

This bill creates two new offenses, the first being furthering terrorism, and the second being material or financial support of an act of terrorism or concealment of the actions or plans of another to carry out an act of terrorism.

The Judicial Department, Commission on Prosecution Coordination, and Commission on Indigent Defense report that this bill does not have an expenditure impact on the General Fund, Other Funds, or Federal Funds.

The Department of Corrections reports that it does not expect the bill to add a significant number of inmates to the prison population, but as the bill creates a new offense, there is no data with which to determine the extent of any expenditure impact on the agency's General Funds. Therefore, the fiscal impact of the bill is undetermined.

Explanation of Fiscal Impact

Amended by House Judiciary on March 20, 2019

State Expenditure

This bill establishes provisions related to unlawful acts of terrorism. It defines an act of violence as a violent crime offense or any other felony offense that includes an assault, use of violence, or force against another person. The bill also expands the definition of terrorism to include the intimidation or coercion of groups within the civilian population based on the group's race, religion, color, sex, age, national origin, or sexual orientation.

The offense of furthering terrorism is committed when a person makes significant plans or takes actions toward the commission of an act of violence with the intent to commit an act of terrorism. Furthering terrorism is a felony offense punishable by imprisonment for not more than 30 years. This offense is considered separate from other underlying offenses and must be served consecutively to any sentence imposed for an underlying offense.

The bill also creates the offense of material or financial support of an act of terrorism or concealment of the actions or plans of another to knowingly carry out an act of terrorism. Material or financial support of an act of terrorism or concealment of the actions or plans of another to knowingly carry out an act of terrorism is a felony offense punishable by imprisonment for not more than 20 years.

Real and personal property used to, derived from, or realized through acts of furthering terrorism, or providing material or financial support of an act of terrorism or concealment of the actions or plans of another to knowingly carry out an act of terrorism, are subject to lawful seizure and forfeiture to the State.

Judicial Department. This bill creates two new offenses, the first being furthering terrorism, and the second being material or financial support of an act of terrorism or concealment of the actions or plans of another to carry out an act of terrorism. The penalty for furthering terrorism is not more than 30 years of imprisonment, while the penalty for material or financial support of an act of terrorism or concealment of the actions or plans of another to carry out an act of terrorism is not more than 20 years of imprisonment. The bill also allows for the seizure and forfeiture of real and personal property used in connection with terrorism offenses and expands the definition of a terrorism activity to include the intimidation or coercion of groups based on their race, religion, color, sex, age, national origin, or sexual orientation.

As this bill creates a new offense, there is no data available upon which to estimate the number of hearings or trials that may be initiated in General Sessions Court as a result of this bill. The agency anticipates that any impact from the increased caseload in general sessions would be absorbed by the Judicial Department. Therefore, this bill will have no expenditure impact to the General Fund, Other Funds, or Federal Funds.

Commission on Prosecution Coordination. The bill requires the agency to perform activities that will be conducted in the normal course of agency business. As a result, this bill does not have an expenditure impact on the General Fund, Other Funds, or Federal Funds.

Commission on Indigent Defense. The bill requires the agency to perform activities that will be conducted in the normal course of agency business. As a result, this bill does not have an expenditure impact on the General Fund, Other Funds, or Federal Funds.

Department of Corrections. This bill creates two new offenses, the first being furthering terrorism, and the second being material or financial support of an act of terrorism or concealment of the actions or plans of another to carry out an act of terrorism. The penalty for furthering terrorism is not more than 30 years of imprisonment, while the penalty for material or financial support of an act of terrorism or concealment of the actions or plans of another to carry out an act of terrorism is not more than 20 years of imprisonment. However, the department reports that it does not expect the bill to add a significant number of inmates to the prison population, but as the bill creates a new offense, there is no data with which to determine the extent of any expenditure impact on the agency's General Funds. Therefore, the fiscal impact of the bill is undetermined.

State Revenue

N/A

Local Expenditure and Local Revenue

N/A



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