



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number:	H. 3417	Amended by House Judiciary on January 29, 2019
Author:	Tallon	
Subject:	Illegal Immigration Unit	
Requestor:	House Judiciary	
RFA Analyst(s):	Gardner	
Impact Date:	February 12, 2019	

Fiscal Impact Summary

The bill transfers the Illegal Immigration Enforcement Unit from the Department of Public Safety to the State Law Enforcement Division. Transfer of the program will not have an overall expenditure impact, as employees, appropriations, assets, and liabilities will transfer with the program, and transition costs are minimal and manageable within existing resources.

Explanation of Fiscal Impact

Amended by Senate Judiciary on January 29, 2019

State Expenditure

This amended bill moves the administration of the state's Illegal Immigration Enforcement Unit (unit) from the Department of Public Safety (DPS) to the South Carolina Law Enforcement Division (SLED) by repealing Section 23-6-60 and adding Article 18 (Illegal Immigration Unit) to Title 23, Chapter 3 of the South Carolina Code of Laws. The employees, authorized appropriations, assets, and liabilities of the unit transfer to SLED and fall under the administrative direction of the Chief of SLED. All personnel employed by the unit on the effective date of the bill, either by contract or by employment at will, become employees of SLED and retain their employment status, compensation, classification, and grade level. The structure and responsibilities of the unit continue to include the enforcement of federal and state immigration laws and state criminal laws, as well as the offering of an illegal immigration enforcement training program for use by local law enforcement agencies. The unit must be funded annually by a specific appropriation to the unit in the state general appropriations act, separate and distinct from SLED's other appropriations.

Department of Public Safety. The bill transfers the Illegal Immigration Enforcement Unit from DPS to SLED. As a result, DPS expenditures will decrease by the amount the unit would expend. For FY 2018-19, the amount appropriated from the General Fund for expenditure by the unit is \$426,544 in personal service for 12 FTEs, \$207,050 in employer contributions, and \$118,525 for operating expenses. In addition, within the Highway Patrol's budget, the unit is authorized to expend \$31,508 in Other Funds for its operations. The source of these funds is cash confiscated by the Highway Patrol during drug arrests, and any amount remaining would transfer with the unit as a non-recurring cash transfer. Also transferring would be the balance of a FY 2011-12 non-recurring appropriation to the unit in accordance with proviso 90.18. As of February 11, 2019, this balance was \$23,706. These funds are used as needed to cover the unit's operating expenses. The Illegal Immigration Enforcement Unit also has a petty cash account that was established during FY 2018-19. These funds are used by the unit during undercover operations.

The balance, as of February 11, 2019, was \$4,900. In summary, \$752,119 in General Funds and \$60,014 in Other Funds will be transferred to SLED as a result of the bill.

South Carolina Law Enforcement Division. SLED expenditures would increase for the expenditures of the Illegal Immigration Enforcement Unit once the unit is transferred to SLED. Budgeted expenditures of the unit as part of DPS are reported above. SLED indicates including the unit within SLED would not create an additional expenditure impact for the agency, provided current appropriations and fund balances transfer as required by the bill. The division indicates SLED will not incur an expenditure impact to house the unit, as the staff are field officers. SLED also indicates transition costs will be minimal and managed within existing resources. There is no expenditure impact to the General Fund, Other Funds, or Federal Funds for transition expenses and physically locating the unit at SLED

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director