



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: S. 0284 Introduced on January 8, 2019
Author: Talley
Subject: Ethics Investigations and Hearings
Requestor: Senate Judiciary
RFA Analyst(s): Miller and Jolliff
Impact Date: January 22, 2019

Fiscal Impact Summary

This bill will not impact expenditures, as the changes to possible actions of an ethics committee do not change the overall responsibilities of the Senate or House Ethics Committees or the State Ethics Commission. Any expenses related to a change in the number of ethics committee meetings will be managed within the budgets of the respective legislative bodies.

Explanation of Fiscal Impact

Introduced on January 8, 2019

State Expenditure

This bill amends §8-13-540 relating to the actions that an ethics committee may take upon receipt of a report by the State Ethics Commission (commission). Under current law, an ethics committee may concur or nonconcur with the commission's recommendation or request that the commission continue the investigation. Further, the committee currently may dismiss the complaint if, after reviewing the commission's recommendation and evidence, the committee determines that there is not sufficient evidence of a violation.

The bill eliminates the current option of nonconcurrence and requires that the committee take one of the permitted actions in response to the report. It also eliminates the option to dismiss the complaint due to a lack of sufficient evidence. The committee may request that the commission continue the investigation as they may do under current law. Otherwise, under the bill, the committee must either render an advisory opinion to the respondent and require a response, concur with the commission's findings of no probable cause and dismissal of the complaint, or convene a formal public hearing.

Senate and House of Representatives. While the bill changes the actions that an ethics committee may take upon receipt of a report by the commission, the changes are not expected to impact expenditures. Each member receives per diem of \$35, subsistence of \$208.27, and mileage of \$0.58 per mile for each meeting on non-session days. If there is an increase in the expenses associated with the committee due to additional meetings, these expenses will be managed within the budgets of the respective legislative bodies.

State Ethics Commission. The bill does not affect the responsibilities of the commission with respect to investigating possible ethics violations and is not expected to impact the agency's expenditures.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director