



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number:	S. 0481	Introduced on February 5, 2019
Author:	Alexander	
Subject:	Firefighter Registration	
Requestor:	Senate Labor, Commerce, and Industry	
RFA Analyst(s):	A. Martin	
Impact Date:	March 28, 2019	Updated for Additional Agency Response

Fiscal Impact Summary

This bill will have no expenditure impact on the Department of Labor, Licensing and Regulation (LLR) because it codifies current practices of the Office of the State Fire Marshal (OSFM).

This bill will have no revenue impact on LLR because it creates no significant change in fees collected by OSFM.

This fiscal impact statement has been updated based on a response from LLR and OSFM.

Explanation of Fiscal Impact

Updated for Additional Agency Response on March 28, 2019

Introduced on February 5, 2019

State Expenditure

Section 1 of this bill codifies current practices of LLR and OSFM. Therefore, this section of the bill will have no expenditure impact.

Section 2 of this bill specifies the jurisdiction and authority of the State Fire Marshal. These authorizations create no new requirements of the State Fire Marshal. Therefore, this section of the bill will have no expenditure impact.

Section 4 of the bill requires 3 percent of the funds appropriated by the General Assembly for the Volunteer Strategic Assistance and Fire Equipment Program (V-SAFE) to be used for administrative costs associated with the program. OSFM has indicated that the administrative duties associated with the V-SAFE program include the following:

- developing grant application packages
- testing the application portal
- compiling grant requests
- preparing application packages for the Peer Review Panel
- organizing and facilitating Peer Review Panel meetings
- distributing grant award checks
- following up with awardees for required progress reports
- processing grant amendment requests

V-SAFE is funded through a portion of the Insurance Tax Premium in addition to appropriations

by the General Assembly. OSFM reports that annual reallocations for administrative costs will total approximately \$26,000 based on the current grant funds available for the program.

Sections 5 through 8 make technical changes and revise the duties of the State Fire Marshal, deputy state fire marshals, and ex officio resident fire marshals. These sections do not alter the regulatory duties of the OSFM and will have no expenditure impact.

Section 9 allows LLR, in addition to the Forestry Commission, to accept donations of new or used equipment from individuals or organizations and provides guidelines for the use of such equipment. Such donations may result in a cost savings for OSFM because it may reduce expenditures for equipment. Because the benevolence of the general public cannot be anticipated, the expenditure impact of this section is undetermined. However, OSFM has indicated previously that many fire departments have an extensive list of equipment needs. Therefore, even after receiving donations, OSFM may still need to request funding in order to meet their equipment needs.

This fiscal impact statement has been updated based on a response from LLR and OSFM.

State Revenue

Section 2 of this bill makes changes to administrative penalties assessed by OSFM. Per current regulations, OSFM may charge up to \$2,000 for each violation. This bill will reduce that maximum to \$1,000 per violation. In addition, violators may avoid this fine for a first offense if the violation is corrected within the time allotted by OSFM. These fines are to be used to defray the administrative costs associated with the duties of OSFM. OSFM reported that it does not currently charge a monetary fine when it issues a citation. A respondent may appeal a citation to the State Fire Marshal and subsequently appeal an adverse decision to the Administrative Law Court under current policy. Therefore, this section of the bill does not alter the appeal process. While OSFM is unable to forecast the amount of fines that may be collected under this provision, it anticipates the amount will be insignificant.

Section 10 makes changes to fees charged by OSFM. Currently, OSFM is authorized to charge a firefighter a fee of \$5 for a copy of his file. This bill will require OSFM to provide an unofficial copy of the file to the firefighter at no cost. The fee for an official copy of the firefighter's transcript will be \$3. While no definition of transcript is provided in this section, this analysis is provided under the assumption that transcript carries the same meaning as file. While this bill creates a potential loss in revenue, OSFM reports that it receives few requests for transcripts. Therefore, this bill will have no significant impact on OSFM.

In addition, Section 10 creates a \$5 fee for a reprinted certificate. OSFM awards a variety of certifications through South Carolina Fire Academy upon completion of coursework and examination. While OSFM is unable to provide a forecast, it anticipates the number of requests for reprinted certificates will be few. Therefore, this bill will have no significant impact on OSFM.

This fiscal impact statement has been updated based on a response from LLR and OSFM.

Local Expenditure

N/A

Local Revenue

N/A

Introduced on February 5, 2019

State Expenditure

Section 1 of this bill codifies current practices of LLR and the Office of State Fire Marshal (OSFM). Therefore, this section of the bill will have no expenditure impact.

Section 2 of this bill specifies the jurisdiction and authority of the State Fire Marshal. LLR has been asked to determine if this section adds to the responsibilities of the State Fire Marshal. The expenditure impact of this section is pending, contingent upon a response from LLR.

Section 4 of the bill requires 3 percent of the funds appropriated by the General Assembly for the Volunteer Strategic Assistance and Fire Equipment Program (V-SAFE) to be used for administrative costs associated with the program. V-SAFE is funded through a portion of the Insurance Tax Premium in addition to appropriations by the General Assembly, however, no funds were appropriated by the General Assembly for V-SAFE in FY 2018-19. Appropriations for V-SAFE for FY 2019-20 are unknown. Therefore, the expenditure impact for this section of the bill is undetermined.

Sections 5 through 8 make technical changes and revise the duties of the State Fire Marshal, deputy state fire marshals, and ex officio resident fire marshals. The expenditure impact of this section is pending, contingent upon a response from LLR.

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Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director