



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: S. 0506 Amended by the Senate on April 23, 2019
Author: Jackson
Subject: City Housing Authorities
Requestor: House Judiciary
RFA Analyst(s): A. Martin
Impact Date: July 15, 2019

Fiscal Impact Summary

The bill amends provisions for the removal of housing authority commissioners. In the event that commissioners are suspended from office, the mayor or the mayor's designee shall appoint an interim director of the housing authority.

The Municipal Association of South Carolina indicates that this bill will have no expenditure impact on local governments because the local government will not assume any additional responsibilities for the housing authority.

Explanation of Fiscal Impact

Amended by the Senate on April 23, 2019

State Expenditure

N/A

State Revenue

N/A

Local Expenditure

The bill amends the provisions for the removal of housing authority commissioners. This bill allows the county legislative delegation to adopt a resolution declaring that there is a state of emergency in reference to a municipal housing authority in their jurisdiction if there is convincing evidence that a housing authority has taken action or failed to take an action which resulted in unreasonably hazardous conditions or conditions that led to the death of one or more residents. Upon the adoption of the resolution all commissioners and the executive director are immediately suspended from office while an investigation is conducted by the council of the municipality. During this period of suspension, the mayor, or the mayor's designee, shall appoint an interim executive director of the housing authority.

The Municipal Association of South Carolina indicates that when an interim executive director is appointed by a mayor, the governance of the housing authority remains with the authority. Because the municipality is not assuming any additional responsibilities of the housing authority, this bill will have no expenditure impact on local funds.

Local Revenue

N/A

Updated for Additional Agency Response on March 28, 2019

Introduced on February 13, 2019

State Expenditure

N/A

State Revenue

N/A

Local Expenditure

The bill amends the provisions for the removal of housing authority commissioners. This bill allows the county legislative delegation to adopt a resolution declaring that there is a state of emergency in reference to a municipal housing authority in their jurisdiction if there is convincing evidence that a housing authority has taken action or failed to take an action which resulted in unreasonably hazardous conditions or conditions that led to the death of one or more residents. Upon the adoption of the resolution all commissioners are immediately suspended from office for ninety days while an investigation is conducted by the council of the municipality. During this period of suspension, the mayor, or the mayor's designee, shall exercise the powers and duties of the housing authority.

If the council of the municipality finds that the housing authority's acts or failure to act subjected residents to hazardous conditions or led to the death of a resident, the commissioners are immediately removed from office. If commissioners are removed from office through these provisions, the council of the municipality shall appoint new commissioners.

The Municipal Association of South Carolina indicates that the bill may impact liability insurance premiums for cities. In the event that the mayor or mayor's designee must exercise the powers and duties of the housing authority, the city may need to increase liability insurance coverage to the housing authority. The level of liability coverage already obtained by each city that can be applied to housing authorities is unknown, and the number of municipalities that will experience increased premium payments as a result of the provisions of the bill cannot be determined. As such, the bill will have an undetermined impact on local governments.

This fiscal impact has been updated to include a response from the Municipal Association of South Carolina.

Local Revenue

N/A

Introduced on February 13, 2019

State Expenditure

The bill amends the provisions for the removal of housing authority commissioners. This bill allows the county legislative delegation to adopt a resolution declaring that there is a state of emergency in reference to a municipal housing authority in their jurisdiction if there is convincing evidence that a housing authority has taken action or failed to take an action which resulted in unreasonably hazardous conditions or conditions that led to the death of one or more residents. Upon the adoption of the resolution all commissioners are immediately suspended

from office for ninety days while an investigation is conducted by the council of the municipality.

State Revenue

N/A

Local Expenditure

If the council of the municipality finds that the housing authority's acts or failure to act subjected residents to hazardous conditions or led to the death of a resident, the commissioners are immediately removed from office. If commissioners are removed from office through these provisions, the council of the municipality shall appoint new commissioners.

The expenditure impact of this bill is pending, contingent upon a response from local governments.

Local Revenue

N/A



Frank A. Rainwater, Executive Director