



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number:	S.0871	Introduced on January 14, 2020
Author:	Hutto	
Subject:	Child Death Investigations	
Requestor:	Senate Judiciary	
RFA Analyst(s):	Gardner	
Impact Date:	February 26, 2020	Updated for Additional Agency Response

Fiscal Impact Summary

The Judicial Department anticipates that any impact from the increased caseload in general sessions will be absorbed by the department. Therefore, this bill will have no expenditure impact to the General Fund, Other Funds, or Federal Funds of the Judicial Department.

The State Law Enforcement Division reports this bill will have no expenditure impact because the bill charges the agency with responsibilities which can be managed within existing appropriations. This fiscal impact statement has been updated based on a response from the agency.

Explanation of Fiscal Impact

Updated for Additional Agency Response

Introduced on January 14, 2020

State Expenditure

This bill amends provisions related to child death investigations. Currently, a coroner or medical examiner may petition the local magistrate for a warrant to inspect the home or premises formerly inhabited by the deceased child if there is probable cause that events in the home or premises may have contributed to the child's death. The bill adds a provision that grants a coroner, medical examiner, or law enforcement officer the right to petition the court for a warrant to obtain blood and urine samples of the caregiver of a deceased child four years of age or younger if there is evidence of the intoxication or impairment of the caregiver at or near the child's time of death. The local magistrate must issue the warrant based on probable cause, and any samples obtained must be managed in accordance with procedures approved by the State Law Enforcement Division.

Judicial Department. The bill would allow a coroner or law enforcement officer, while investigating the death of a child four years old or younger, to petition a magistrate, municipal judge, or circuit court judge for a warrant for evidence of intoxication or impairment of the caregiver. 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.

State Law Enforcement Division. This bill will have no expenditure impact on the agency because the agency will administer policies resulting from the bill with the use of existing staff

and resources. This fiscal impact statement has been updated based on a response from the agency.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A

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State Expenditure

This bill amends provisions related to child death investigations. Currently, a coroner or medical examiner may petition the local magistrate for a warrant to inspect the home or premises formerly inhabited by the deceased child if there is probable cause that events in the home or premises may have contributed to the child's death. The bill adds a provision that grants a coroner, medical examiner, or law enforcement officer the right to petition the court for a warrant to obtain blood and urine samples of the caregiver of a deceased child four years of age or younger if there is evidence of the intoxication or impairment of the caregiver at or near the child's time of death. The local magistrate must issue the warrant based on probable cause, and any samples obtained must be managed in accordance with procedures approved by the State Law Enforcement Division.

Judicial Department. The bill would allow a coroner or law enforcement officer, while investigating the death of a child four years old or younger, to petition a magistrate, municipal judge, or circuit court judge for a warrant for evidence of intoxication or impairment of the caregiver. 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.

State Law Enforcement Division. The expenditure impact of this bill is pending, contingent upon a response from the agency.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director