



**SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE**  
**STATEMENT OF ESTIMATED FISCAL IMPACT**  
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*This fiscal impact statement is produced in compliance with the South Carolina Code of Laws and House and Senate rules. The focus of the analysis is on governmental expenditure and revenue impacts and may not provide a comprehensive summary of the legislation.*

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<b>Bill Number:</b>	H. 3795	Introduced on February 2, 2021
<b>Author:</b>	Allison	
<b>Subject:</b>	Sign Language Interpreters Act	
<b>Requestor:</b>	Senate Education	
<b>RFA Analyst(s):</b>	Coomer, Gardner, and Wren	
<b>Impact Date:</b>	March 17, 2021	

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### **Fiscal Impact Summary**

This bill is expected to have a minimal expenditure impact on the Department of Labor, Licensing and Regulation (LLR) because the agency does not anticipate the need for any additional staff to administer the requirements of this bill. The revenue impact of this bill on LLR is undetermined because the registration fee and the number of individuals who may register as interpreters are unknown. However, the proceeds from the registration fees must be used by LLR to defray the expenditures associated with the implementing this bill.

This bill will have no fiscal impact on the Judicial Department, the State Department of Education (SDE), state agency schools, and local school districts because any expenses can be managed within their existing budgets.

This bill may increase expenditures for certain state and local government agencies listed in the bill due to increased costs related to sign language interpreters, but the amount of the increase is undetermined.

### **Explanation of Fiscal Impact**

#### **Introduced on February 2, 2021**

#### **State Expenditure**

This bill enacts the Sign Language Interpreters Act, which imposes certain requirements for sign language interpreters used by all departments of state government listed in Section 1-30-10, the offices of all statewide constitutional officers, the Judicial Department, all public institutions of higher education, the Commission on Higher Education, police stations, county and state detention centers and correctional facilities, and any other board, commission, or council created by statute of this state. Additionally, the bill requires LLR to develop and maintain a website and database of all sign language interpreters who are required to register with the department. LLR may charge a registration fee for individuals seeking to register as a sign language interpreter or provisional interpreter under supervision of a registered interpreter. The revenue must be used by LLR to defray the expenses associated with the requirements of this bill. Furthermore, this bill requires SDE to develop and promulgate regulations for the appropriate credentialing of sign language interpreters in the public and special schools of this state in consultation with the South Carolina Association of the Deaf and the South Carolina Registry of Interpreters for the Deaf.

Interpreters for the deaf working in schools and school districts are required to submit to the same background checks as educators. Lastly, the bill makes conforming changes to the appointment process of sign language interpreters by the Judicial Department.

**Department of Labor, Licensing and Regulation.** The expenditure impact of this bill on LLR due to the provisions listed above is expected to be minimal. The agency does not expect the need for additional staff to administer the requirements of this bill. Additionally, the proceeds from the registration fees received under this bill must be used by LLR to defray the expenditures associated with the implementing this bill.

**Judicial Department.** This bill makes conforming changes to the process which requires the Judicial Department to appoint as many qualified sign language or deaf interpreters as needed to assist deaf persons who are witnesses or parties to any legal proceeding. While any expenditure impact the bill may have on the department's operations cannot be determined, the department intends to manage any increase in costs for general sessions, common pleas, family, master-in-equity, magistrate, municipal, or probate courts using existing General Fund resources.

**State Department of Education.** SDE anticipates using the existing educator certification system for the credentialing and continuing education requirements for sign language interpreters working in the public and special schools. SDE indicates that any expenses associated with modifying the existing system can be managed within current appropriations. Therefore, this bill will have no expenditure impact on the agency.

**State Agency Schools.** This bill is not expected to have an expenditure impact on the state agency schools. The Wil Lou Gray Opportunity School indicates that one of its teachers is a certified interpreter. The School for the Deaf and Blind indicates that the school only uses certified interpreters. The Governor's School for Agriculture at John de la Howe indicates that any expenses associated with hiring a certified interpreter can be managed within current appropriations. Also, the Governor's School for the Arts and Humanities and the Governor's School for Science and Mathematics indicate that any expenses associated with the provisions of the bill can be managed within current appropriations. Therefore, the bill will have no expenditure impact on the state agency schools.

RFA previously surveyed multiple state government agencies regarding a similar bill. Of the surveyed agencies, only the Department of Transportation (DOT), the Department of Motor Vehicles DMV, and the Department of Alcohol and Other Drug Abuse Services indicated that this bill may increase expenditures due to potential increased costs for interpreters once individuals gain the certifications required by this bill or due to an addition of a full-time sign language interpreter on staff. DOT was the only agency to quantify a potential expenditure impact, estimating that Other Funds expenditures would increase by \$79,000 annually if the agency determined it was necessary to employ a sign language interpreter on staff.

At the time, the following agencies indicated that they either did not use sign language interpreters or expected no or a minimal expenditure impact:

- Comptroller General's Office
- Department of Commerce
- Department of Juvenile Justice
- Legislative Council
- Office of the Adjutant General
- South Carolina Senate
- State Treasurer's Office
- Commission on Higher Education
- Department of Administration
- Department of Agriculture
- Department of Disabilities and Special Needs
- Department of Employment and Workforce
- Department of Health and Environmental Control
- Department of Health and Human Services
- Department of Insurance
- Department of Labor, Licensing and Regulation
- Department of Mental Health
- Department of Natural Resources
- Department of Parks, Recreation, and Tourism
- Department of Probation, Parole, and Pardon Services
- Department of Public Safety
- Department of Revenue and Fiscal Affairs
- Lieutenant Governor's Office
- Secretary of State
- Clemson University
- Coastal Carolina University
- College of Charleston
- Francis Marion University
- Lander University
- South Carolina State University
- South Carolina Technical College System
- The Citadel
- University of South Carolina
- Winthrop University

The following agencies were surveyed at the time but did not respond to the request:

- Area Health Education Consortium
- Attorney General's Office
- Department of Corrections
- Department of Social Services
- House of Representatives
- Medical University of South Carolina
- Ports Authority
- Public Service Authority

If any additional data becomes available from previously surveyed agencies, RFA will update this fiscal impact as necessary.

### **State Revenue**

This bill authorizes LLR to charge a registration fee for individuals seeking to register as a sign language interpreter with the agency. The proceeds from the registration fees must be used by LLR to defray the expenditures associated with the implementing this bill. Additionally, LLR can impose and collect civil penalties of \$500 due to violations. The revenue impact of this bill on LLR is undetermined because the registration fee and the number of individuals who may register as interpreters are unknown.

### **Local Expenditure**

This bill requires sign language interpreters working in schools and school districts to complete the same background checks as educators. SDE indicates that any expenses for local school districts for sign language interpreters can be managed within the existing budgets of the districts. Therefore, this bill will have no expenditure impact on local school districts.

Additionally, RFA surveyed twenty-three county governments regarding a similar bill in the past and received no responses. Therefore, the expenditure impact of this bill on local governments is undetermined.

If any additional data becomes available from previously surveyed local governments, RFA will update this fiscal impact as necessary.

**Local Revenue**

N/A



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