



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.

Bill Number:	S. 0090	Introduced on January 12, 2021
Author:	Malloy	
Subject:	Separate Confinement of Juvenile Offenders	
Requestor:	Senate Judiciary	
RFA Analyst(s):	Miller	
Impact Date:	February 15, 2022	

Fiscal Impact Summary

This joint resolution proposes an amendment to Section 3, Article XII of the Constitution, to specify that the General Assembly will provide for separate confinement of juvenile offenders under the age of eighteen.

This joint resolution will have no expenditure savings for the Department of Corrections (Corrections), as the cost associated with housing the one seventeen-year-old in an adult facility will be reallocated to other agency needs.

This joint resolution will have no expenditure impact for the State Election Commission, as the responsibilities required to have a proposed Constitutional change on the ballot of the next general election can be managed within the agency's existing appropriations.

The fiscal impact of this joint resolution is pending, contingent upon an additional response from the Department of Juvenile Justice (DJJ).

Explanation of Fiscal Impact

Introduced on January 12, 2021

State Expenditure

This joint resolution proposes an amendment to Section 3, Article XII of the Constitution, to specify that the General Assembly will provide for separate confinement of juvenile offenders under the age of eighteen. Currently, the age for separate confinement is under the age of seventeen. Additionally, this proposed amendment will be printed on the ballots for the next general election.

If the Constitution is amended, this will require a shift of incarcerated persons who are seventeen and currently housed in an adult facility to a juvenile facility.

Department of Corrections. According to Corrections, there is only one seventeen-year-old currently housed in an adult facility that would need to be transferred to a juvenile facility. Corrections stated that in FY 2021-22, the annual cost to house an inmate totals \$30,178, \$27,883 of which is state funds. Corrections anticipates reallocating this \$30,178 annual savings

to other agency needs. Therefore, this joint resolution will have no expenditure savings for Corrections.

Department of Juvenile Justice. This joint resolution will require DJJ to house seventeen year olds in a juvenile facility. DJJ anticipates this bill may have an expenditure impact on the agency and is working to provide additional information. Therefore, the impact of this joint resolution is pending, contingent upon an additional response from DJJ.

State Election Commission. This joint resolution requires the proposed change to the Constitution to appear on the ballot at the next general election. Additionally, the Election Commission anticipates the need to produce handouts and posters to provide information on this proposed Constitutional amendment. However, the cost will be minimal, and the agency anticipates being able to manage any costs within existing appropriations. Therefore, this bill will have no expenditure impact for the Election Commission.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director