



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. 0225	Introduced on January 12, 2021
Author:	Shealy	
Subject:	Juveniles Under Fourteen Years of Age on Sex Offender Registry	
Requestor:	Senate Judiciary	
RFA Analyst(s):	Gardner	
Impact Date:	March 24, 2022	

Fiscal Impact Summary

This bill provides that no juvenile under the age of fourteen years may be placed on the state sex offender registry and specifies the instances when a juvenile aged fourteen or older may be placed on the registry and comply with registration requirements.

This bill will have no expenditure impact for Judicial, as any impact to the family court docket can be managed within existing resources.

This bill does not require the Department of Juvenile Justice (DJJ) and the State Law Enforcement Division (SLED) to perform duties outside of the normal scope of business operations. As such, the bill will have no expenditure impact.

Explanation of Fiscal Impact

Introduced on January 12, 2021

State Expenditure

This bill enables family courts to determine whether juveniles aged fourteen or older who have pled guilty or nolo contendere or have been adjudicated delinquent for specific offenses involving criminal sexual conduct must be placed on the state sex offender registry and comply with registration requirements. The court will consider such factors as the risk of recidivism, the age of the juvenile at the time of the offense, mitigating and aggravating factors, and other factors the court considers relevant. Both the juvenile and the State may request a psychosexual evaluation separate than that completed by the Department of Juvenile Justice. The bill also prohibits any juvenile under the age of fourteen from being required to register as a sex offender in South Carolina.

The bill also provides that juveniles aged fourteen or older who have pled guilty or nolo contendere or have been adjudicated delinquent for criminal sexual conduct in the first, second, or third degree or for assault with the intent to commit criminal sexual conduct must register as sex offenders in South Carolina or the state where the adjudication occurred. In this instance, the family court must determine whether the juvenile's offender status must be made available to the public or only made available upon request to victims, witnesses to the offense, schools,

childcare facilities, and businesses or organizations that primarily serve children, women, or vulnerable adults.

Judicial. This bill gives family courts the discretion to place certain juvenile offenders aged fourteen or older on the state sex offender registry and outlines factors to be considered when making this determination. The bill also prohibits placement of juveniles under the age of fourteen on the sex offender registry and enables the family court to determine whether information on juvenile offenders who have been placed on the registry should be made available to the public. Judicial indicates that the bill may cause delays in family courts; however, there is no data to estimate the number of filings, hearings, or trials that may be impacted. Judicial intends to use existing General Fund resources to manage any increase in costs associated with implementation of the bill. Therefore, this bill will have no expenditure impact for Judicial.

Department of Juvenile Justice. As the bill will not require DJJ to perform duties outside of the normal scope of operations, it will have no expenditure impact on the agency.

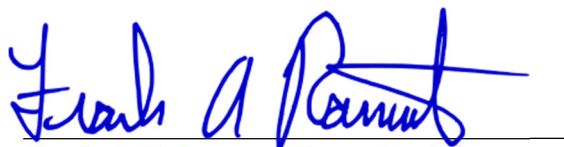
State Law Enforcement Division. As the bill will not require SLED to perform duties outside of the normal scope of business operations, it will have no expenditure impact on the agency.

State Revenue

Local Expenditure

N/A

Local Revenue



Frank A. Rainwater, Executive Director