



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
(803)734-3780 • RFA.SC.GOV/IMPACTS

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. 0423 Introduced on January 12, 2021
Author: Alexander
Subject: County Government Powers
Requestor: Senate Judiciary
RFA Analyst(s): Williams
Impact Date: November 1, 2021

Fiscal Impact Summary

This bill allows county governments to adopt an ordinance to require property owners to keep lots and property free of rubbish, debris, and other unhealthy conditions that constitute a public nuisance. Furthermore, it allows county government officials to place a lien upon real estate, which is collectable as county tax, for the actual cost of correcting such property conditions. Since this bill is permissive in nature by allowing counties to choose to adopt an ordinance, the expenditure and revenue impact on county governments is undetermined.

Explanation of Fiscal Impact

Introduced on January 12, 2021

State Expenditure

N/A

State Revenue

N/A

Local Expenditure

This bill allows county governments to adopt an ordinance to require residential and commercial property owners to keep lots and property free of rubbish, debris, and other unhealthy conditions that constitute a public nuisance. The bill also allows for exemptions of the ordinance and clarifies that an ordinance must not be solely for aesthetic purposes. Further, the bill allows county government officials to place a lien upon real estate, which is collectable as county tax, for the actual cost of correcting such property conditions. Pursuant to Section 5-7-80, municipalities currently have the authority for this type of ordinance.

Although this bill is permissive in nature, our office surveyed all forty-six counties to determine the interest and potential expenditure impact of adopting this type of ordinance. Our office received responses from the following counties: Berkeley, Charleston, Fairfield, Hampton, and Marion. All five responding counties indicate an interest in this type of ordinance. Fairfield county indicates that if such an ordinance is adopted, recurring county expenses could increase by \$60,000 for 1.0 FTE, as well as \$30,000 in non-recurring expenses for transportation and

operating costs for the new FTE. Berkeley, Charleston, Hampton, and Marion counties report that the bill could increase expenses initially for personnel and code enforcement costs, but anticipate being reimbursed through additional fees or liens. However, since the bill is permissive in nature by allowing counties to choose to adopt an ordinance, the expenditure impact of this bill on county governments is undetermined.

Local Revenue

This bill allows county governments to adopt an ordinance to require property owners to keep lots and property free of rubbish, debris, and other unhealthy conditions that constitute a public nuisance. The bill also allows county government officials to place a lien upon real estate, which is collectable as county tax, for the actual cost of correcting such property conditions.

Although this bill is permissive in nature, our office surveyed all forty-six counties to determine the interest and potential local revenue impact of adopting this type of ordinance. Our office received responses from the following counties: Berkeley, Charleston, Fairfield, Hampton, and Marion. Berkeley, Charleston, Hampton, and Marion counties indicate that any additional fees or liens imposed pursuant to the bill would likely offset any initial expenses. However, since this bill is permissive in nature by allowing counties to choose to adopt an ordinance, the revenue impact of this bill on county governments is undetermined.



Frank A. Rainwater, Executive Director