



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. 0484 Introduced on January 25, 2021
Author: Allen
Subject: Early Release of Inmates
Requestor: Senate Corrections and Penology
RFA Analyst(s): Gardner
Impact Date: March 15, 2021

Fiscal Impact Summary

This bill allows inmates convicted of no parole offenses who have had no substantial disciplinary infractions and have completed rehabilitation and re-entry programs to serve a lesser amount of time and to earn increased sentence deduction credits for good behavior and for completing academic, technical, or vocational training programs.

The expenditure impact of this bill is pending, contingent upon responses from the Department of Corrections and the Department of Probation, Parole and Pardon Services.

Explanation of Fiscal Impact

Introduced on January 25, 2021

State Expenditure

This bill provides that, under certain circumstances, inmates convicted of a no parole offense may be eligible for early release, discharge, and community supervision depending on the type of conviction and time served. The bill also provides for sentence deduction credits for inmates convicted of a no parole offense for controlled substances or other illegal drugs when they have exhibited good behavior or have participated in academic, technical, or vocational training programs.

An inmate convicted of a no parole offense who has had no substantial or major disciplinary infractions, has completed a rehabilitation and re-entry program, and has served at least 77 percent of the original term of imprisonment imposed may be eligible for early release, discharge, and community supervision. Previously, an inmate meeting these conditions would have to serve at least 85 percent of his sentence before being eligible for early release.

Additionally, an inmate convicted of a no parole offense for controlled substances or other illegal drugs who has served at least 75 percent of the original term of imprisonment may now be eligible for early release, discharge, and community supervision. The provisions of the bill will allow such inmate who has also had no substantial or major disciplinary infractions and has substantially completed rehabilitation and re-entry programs to earn sentence deduction credits at a rate of 6 days per month, which will be applied retroactively and begin with the day on which he began serving his sentence. Previously, an inmate meeting these conditions would only be

eligible for sentence deduction credits in the amount of 3 days per month. An inmate who meets the same criteria and has also participated in academic, technical, or vocational training programs may earn sentence deduction credits at a rate of 12 days per month, which will be applied retroactively and begin with the day on which he began serving his sentence. An inmate may earn an annual maximum of 144 days of sentence deduction credits. Previously, the annual maximum sentence deduction credit amount was 72 days. For purposes of calculating time served, no credits or portions of the sentence which have been suspended may be applied. A sentencing judge will be responsible for announcing the minimum and maximum terms of imprisonment. Early release for inmates convicted of a no parole offense related to controlled substances or other illegal drugs will be applied retroactively.

Department of Corrections. The expenditure impact of this bill is pending, contingent upon a response from the agency.

Department of Probation, Parole and Pardon Services. 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