



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. 0499	Introduced on January 28, 2021
Author:	Campsen	
Subject:	SC Election Commission Restructuring Act	
Requestor:	Senate Judiciary	
RFA Analyst(s):	Miller	
Impact Date:	March 17, 2021	

Fiscal Impact Summary

This bill allows the South Carolina Senate and House of Representatives, at the discretion of the Speaker of the House and the President of the Senate, to participate in court cases pertaining to the validity of election law or policy, or the manner in which an election is conducted. This may result in an undetermined non-recurring increase in General Fund expenditures for legal expenses for the Senate and House if they choose to participate in such cases. The amount will vary depending on the duration and complexity of the cases.

Also, this bill will have no expenditure impact for the State Election Commission (SEC) as any additional responsibilities can be managed with existing staff and within existing appropriations.

Explanation of Fiscal Impact

Introduced on January 28, 2021

State Expenditure

This bill outlines the rights of the Speaker of the House and the President of the Senate, on the behalf of their respective bodies, to intervene in a state court action that challenges the validity of election law or policy, or the manner in which an election is conducted. This bill also grants standing to the Speaker of the House and the President of the Senate, on the behalf of their respective bodies, to intervene in federal court actions that pertain to the validity of election law or policy, or the manner in which an election is conducted. SEC must notify the Speaker of the House and the President of the Senate within 24 hours of receipt of service of a complaint related to the validity of an election law, election policy, or the manner in which an election is conducted. Additionally, this bill modifies the language pertaining to the state election commission's member appointment. This bill takes effect upon the signing of the Governor.

House of Representatives and Senate. This bill allows the Speaker of the House and the President of the Senate, on the behalf of their respective bodies, to participate in court cases pertaining to elections. This bill is permissive in nature, and therefore, their involvement in a case is at the discretion of the House and Senate. Revenue and Fiscal Affairs anticipates that if the Speaker of the House and the President of the Senate choose to participate in such court cases there may be a non-recurring increase in General Fund expenditures to manage legal costs.

Therefore, this bill may result in an undetermined increase in non-recurring General Fund expenditures at the discretion of the House and Senate to participate in certain court proceedings.

State Election Commission. This bill requires SEC to notify the Speaker of the House and the President of the Senate within 24 hours or receipt of service of a complaint related to the validity of an election law, election policy, or the manner in which an election is conducted. SEC anticipates being able to manage this responsibility with current staff and within existing appropriations. Additionally, this bill, modifies the language pertaining to SEC's member appointments. However, these modifications do not change the composition of SEC and therefore will have no expenditure impact for SEC. Therefore, this bill will have no expenditure impact for SEC.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director