



**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.*

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<b>Bill Number:</b>	H. 3516	Introduced on January 10, 2023
<b>Author:</b>	Rivers	
<b>Subject:</b>	Maintenance of private roads	
<b>Requestor:</b>	House Medical, Military, Public, and Municipal Affairs	
<b>RFA Analyst(s):</b>	Williams	
<b>Impact Date:</b>	January 18, 2023	

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### **Fiscal Impact Summary**

This bill specifies circumstances in which a county may authorize roadway maintenance or improvement to privately upheld roads. Currently, construction work may not be performed on any road not already maintained by the county. This bill further allows a county administrator, or governing body, to determine if access to a private road is necessary for the performance of one or more public functions.

The overall expenditure impact of this bill on local governments is undetermined. However, four of the surveyed counties indicate that the bill could increase expenses by a range of \$63,000 up to \$10,000,000 for additional staff and equipment to perform work on private roads. However, actual expenses will depend upon the type and amount of work to be performed. Further, the Municipal Association of South Carolina (MASC) indicates that this bill could have an undetermined expenditure impact on municipalities since a municipality may be required to accept the costs of relocating utilities if municipal utilities are located under a county road.

### **Explanation of Fiscal Impact**

#### **Introduced on January 10, 2023**

##### **State Expenditure**

N/A

##### **State Revenue**

N/A

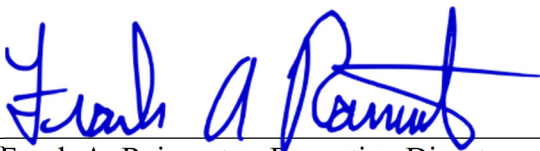
##### **Local Expenditure**

This bill specifies circumstances in which a county may authorize roadway maintenance or improvement to privately upheld roads. Currently, construction work may not be performed on any road not already maintained by the county. This bill further allows a county administrator, or governing body, to determine if access to a private road is necessary for the performance of one or more public functions. If it is a necessary road for public transportation, then county equipment may be utilized for one-time repairs.

The Revenue and Fiscal Affairs Office contacted all forty-six counties and the MASC and received responses from seven counties and the MASC. Two counties indicate that any expenses could be managed within their existing budgets. One county indicates that the bill will have an expenditure impact but could not quantify the amount. The remaining four counties indicate that expenses could range from \$63,000 up to \$10,000,000 for additional staff and equipment to perform work on private roads. However, actual expenses will depend upon the type and amount of work to be performed. Further, the MASC indicates that this bill could have an undetermined expenditure impact on municipalities since a municipality may be required to accept the costs of relocating utilities if municipal utilities are located under a county road. Therefore, since the number of maintenance cases that will be initiated by local governments is unknown, the expenditure impact is undetermined.

**Local Revenue**

N/A



Frank A. Rainwater, Executive Director