



**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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**Bill Number:** H. 3523    Introduced on January 10, 2023  
**Author:** McCravy  
**Subject:** Fallen First Responders Survivor Advocate  
**Requestor:** House Judiciary  
**RFA Analyst(s):** Tipton  
**Impact Date:** August 23, 2023

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### **Fiscal Impact Summary**

This bill establishes the Fallen First Responder Advocate (Advocate) position within the Department of Administration (Admin) to assist surviving family members of first responders killed in the line of duty. First responders are identified by the bill as law enforcement officers, firefighters, corrections officers, or emergency medical technician personnel who volunteer for or are employed by the state or its political subdivisions. The Advocate will advise and assist surviving family members with any and all issues that arise as a result of the death of their family member. This assistance will continue as needed for the life of the survivors and will be retroactively applied to current survivors.

This bill will increase General Fund expenses for Admin by \$103,733 in FY 2024-25 and by \$101,833 each year thereafter for annual salary and fringe, IT and office equipment, rent, and IT support for the Fallen First Responder Advocate. Admin indicates that the agency will request a General Fund appropriation increase to fund the expenses.

This bill may have an undetermined impact on the preretirement death benefits paid by the State to family members of fallen first responders. Currently, the preretirement incidental death benefit is equal to the annual earnable compensation at the time of death paid by the Preretirement Death Benefit Program under the Police Officers Retirement System (PORS) or the South Carolina Retirement System (SCRS) as well as an additional lump sum payment of \$75,000 or \$150,000 if certain criteria are met. These benefits are provided upon the receipt of proof of death. The creation of the Fallen First Responder Advocate and the notification and assistance requirements of the position may increase awareness and usage of these benefits; however, the change in total benefits paid, if any, as a result of this bill is currently unknown. For reference, RFA estimates there are approximately 2 law enforcement officers, 3 firefighters, and 2 emergency medical services providers that die in the line of duty each year.

### **Explanation of Fiscal Impact**

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

#### **State Expenditure**

This bill establishes the Fallen First Responder Advocate position within Admin to assist surviving family members of first responders killed in the line of duty. Fallen first responder is

defined as a law enforcement officer, firefighter, corrections officer, or emergency medical technician personnel who volunteers for or is employed by the state or its political subdivisions and is killed in the line of duty or injured in the line of duty with death resulting from the injury. The bill requires the Fallen First Responder Survivor Advocate to immediately notify surviving family members of a fallen first responder of the availability of an advocate to advise and assist them regarding issues that arise as a result of the death including mental health counseling, life insurance, health insurance, special death benefits, workers' compensation benefits, educational benefits, social security and other federal benefits, state property tax exemptions, and any other assistance that may be appropriate. The assistance provided by the Advocate will continue as needed for the life of the survivors and will be retroactively applied to current survivors. Further, this bill requires the Advocate to file a report to the General Assembly after one full year as to whether an administrative assistant is needed to fulfill the mandates outlined in this bill.

The Advocate must possess a four-year college degree with at least four years of experience in insurance claims, consumer advocacy, benefits, dispute resolution, legal or similar work. According to Admin, this position will be classified as a Client Advocate III with an annual salary and fringe of \$94,084. Admin reports that the new position will incur additional recurring annual expenses of \$7,799 for IT equipment and support, office supplies, and rent, resulting in total recurring annual expenditures of \$101,883. Also, Admin indicates that non-recurring expenses will total \$1,850 for computer equipment and setup during the Advocate's first year. In total, this bill will increase expenses for Admin by \$103,733 in FY 2024-25 and by \$101,833 in each year thereafter. Admin indicates that the agency will request a General Fund appropriation increase to fund the expenses.

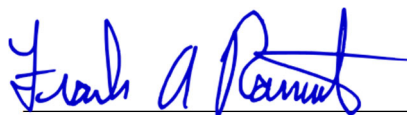
Additionally, this bill may impact the benefits paid by the state to the families of fallen first responders. Currently, the preretirement incidental death benefit is equal to the annual earnable compensation at the time of death paid by the Preretirement Death Benefit Program under either the PORS or the SCRS as well as an additional lump sum payment of \$75,000 or \$150,000 if certain criteria are met. These benefits are provided upon the receipt of proof of death. The creation of the Fallen First Responder Advocate and the notification and assistance requirements of the position may increase awareness and usage of the benefits provided by the state to surviving family members. However, the change in total benefits paid, if any, as a result is currently unknown. Therefore, the impact of this bill on the preretirement death benefits paid by the state to the families of fallen first responders is undetermined. For reference, RFA estimates there are approximately 2 law enforcement officers, 3 firefighters, and 2 emergency medical services providers that die in the line of duty each year.

**State Revenue**

N/A

**Local Expenditure and Revenue**

N/A



Frank A. Rainwater, Executive Director