



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: H. 4386 Introduced on April 26, 2023
Author: Forrest
Subject: Robust Redhorse
Requestor: House Agriculture, Natural Resources, and Environmental Affairs
RFA Analyst(s): Gardner
Impact Date: January 17, 2024

Fiscal Impact Summary

This bill creates the misdemeanor offense for taking, harming, or killing robust redhorse from public waters and establishes a penalty schedule that includes the assessment of a fine, a term of imprisonment, or both. Robust redhorse is a fish native to South Carolina waters.

This bill will have no state expenditure impact. Judicial reports that implementation of the bill may result in an increase in general sessions court caseloads, which can be managed using existing staff and appropriations. Additionally, the Department of Natural Resources (DNR) reports the bill requires the department to perform activities that will be conducted in the normal course of agency business.

Revenue and Fiscal Affairs (RFA) anticipates that this bill may result in an increase in local expenditures due to a potential increase in the local jail population resulting from the newly created misdemeanor punishable by imprisonment for not more than 30 days or a fine of not more than \$2,000, or both. However, as the number of such offenses that might occur in a given year is unknown, the potential increase in the local jail population and local expenditure is undetermined.

As this bill creates a new offense, this may result in an increase of General Fund, Other Funds, and local fine revenue. However, as the number of such offenses and the resulting fines and fees that might occur in a given year is unknown, the revenue impact is undetermined.

Explanation of Fiscal Impact

Introduced on April 26, 2023

State Expenditure

This bill creates a new misdemeanor offense for taking, harming, or killing robust redhorse from public waters in the state and requires a person who takes a robust redhorse to immediately return it to the water body from which it was removed. This offense is punishable by a fine of not less than \$500 nor more than \$2,000, imprisonment for 30 days, or both.

Judicial reports that implementation of the bill may result in an increase in general sessions court caseloads, which can be managed using existing staff and appropriations. Therefore, the bill will result in no expenditure impact for Judicial.

Additionally, DNR reports the bill requires the department to perform activities that will be conducted in the normal course of agency business. DNR has the authority to enforce all laws related to wildlife, marine, and natural resources. As a result, this bill does not have an expenditure impact for DNR.

State Revenue

This bill may result in an increase/decrease in the fines and fees collected in court. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, RFA anticipates this bill may result in an undetermined increase to General Fund revenue and Other Funds revenue due to the increase in fines and fees collections in court.

Local Expenditure

RFA anticipates that this bill may result in an increase in local expenditures due to a potential increase in the local jail population resulting from the newly created misdemeanor punishable by imprisonment for not more than 30 days or a fine of not more than \$2,000, or both. However, as the number of such offenses that might occur in a given year is unknown, the potential increase in the local jail population and local expenditure is undetermined.

Local Revenue

This bill may result in an increase in the fines and fees collected in court. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, RFA anticipates this bill may result in an undetermined increase to local revenue due to the increase in fines and fees collections in court.



Frank A. Rainwater, Executive Director