



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. 0248 Introduced on January 10, 2023
Author: M. Johnson
Subject: JMSC Reform
Requestor: Senate Judiciary
RFA Analyst(s): Miller
Impact Date: January 26, 2024

Fiscal Impact Summary

This bill modifies the judicial election process, including changing the membership appointments of the Judicial Merit Selection Commission (JMSC) and specifying that the JMSC will submit all qualified candidates to the House or Representatives (House). The House will submit the three best candidates to the Governor, who, with the advice and consent of the Senate, will appoint the judge. Violations by a Senator to pledge to confirm a candidate prior to the approved timeframe will be reported to the Senate Ethics Commission, and violations by the Governor will be reported to the State Ethics Commission

This bill will have no expenditure impact for the House, the Senate, or the State Ethics Commission, as any additional expenses can be managed within existing appropriations. We also anticipate this bill will have no expenditure impact for the Governor's Office as all responsibilities are within the normal course of business for the Governor's Office. We will update this fiscal impact if the Governor's Office informs us otherwise.

Explanation of Fiscal Impact

Introduced on January 10, 2023

State Expenditure

This bill specifies that the JMSC will be a committee comprised of members of the House selected by the Speaker. The JMSC will review and submit all qualified candidates to the House. The House will then submit the three best qualified candidates to the Governor who, with the advice and consent of the Senate, will appoint the judge. This bill also specifies when a candidate may seek the pledge of the Governor and any Senator for the candidate's appointment. Violations by a Senator to pledge to confirm a candidate to prior to the approved timeframe will be reported to the Senate Ethics Commission, and violations by the Governor will be reported to the State Ethics Commission

Currently, the JMSC membership includes appointees from the House and the Senate. The JMSC reports the three most qualified candidates to the General Assembly, who elects the judge. This bill modifies the judicial election process.

The House specifies that members of the House who must attend committee meetings when the General Assembly is not in Session will receive round-trip mileage at the federal rate, \$50 per diem, and \$231.73 subsistence. The House anticipates it can manage any additional expense associated with this bill within existing appropriations.

The Senate and the State Ethics Commission anticipate that any additional responsibilities due to this bill can be managed within existing appropriations. Further, we anticipate this bill will have no expenditure impact for the Governor's Office, as all responsibilities are within the normal course of business for the Governor's Office. We will update this fiscal impact if the Governor's Office informs us otherwise.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director