



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. 0476 Introduced on February 1, 2023
Author: Corbin
Subject: Judicial Appointments by Governor with Consent of Senate
Requestor: Senate Judiciary
RFA Analyst(s): Wren and Miller
Impact Date: January 26, 2024

Fiscal Impact Summary

This joint resolution proposes several amendments to Article V of the State Constitution to specify that Supreme Court justices, judges on the Court of Appeals, and Circuit Court judges must be appointed by the Governor, instead of the General Assembly, with advice and consent of the Senate. The resolution also proposes to repeal provisions requiring the General Assembly to establish a Judicial Merit Selection Commission. The proposed amendments must be submitted to the qualified electors at the next general election.

This joint resolution is not expected to have an expenditure impact on the State Election Commission since we anticipate that any expenses associated with the additional responsibilities will be minimal and can be managed with existing staff and within existing appropriations. We will update this impact statement if the agency provides a different response.

We anticipate that the Office of the Governor will be able to appoint Supreme Court justices, judges on the Court of Appeals, and Circuit Court judges within the normal course of agency business. Therefore, this resolution is not expected to have an expenditure impact on the Office of the Governor. We will update this impact statement if we receive a different response.

Judicial indicates that any expenses resulting from the provisions of this resolution can be managed within existing appropriations. Therefore, this resolution will have no expenditure impact on Judicial.

This joint resolution will have no expenditure impact on the House of Representatives since the resolution does not alter the duties or responsibilities of the House. Additionally, the Senate anticipates that any expenses associated with the resolution can be managed within existing appropriations.

Explanation of Fiscal Impact

Introduced on February 1, 2023

State Expenditure

This joint resolution proposes several amendments to Article V of the State Constitution to specify that Supreme Court justices, judges on the Court of Appeals, and Circuit Court judges

must be appointed by the Governor, instead of the General Assembly, with advice and consent of the Senate. The resolution also proposes to repeal provisions requiring the General Assembly to establish a Judicial Merit Selection Commission. The proposed amendments must be submitted to the qualified electors at the next general election.

State Election Commission. Based on responses to similar legislation, we anticipate that any expenses associated with the additional responsibilities from this joint resolution will be minimal and can be managed with existing staff and within existing appropriations. Therefore, this resolution is not expected to have an expenditure impact on the State Election Commission. We will update this impact statement if the agency provides a different response.

Office of the Governor. We anticipate that the Office of the Governor will be able to appoint Supreme Court justices, judges on the Court of Appeals, and Circuit Court judges within the normal course of agency business. Therefore, this resolution is not expected to have an expenditure impact on the Office of the Governor. We will update this impact statement if we receive a different response.

Judicial. Judicial indicates that any expenses resulting from the provisions of this resolution can be managed within existing appropriations. Therefore, this resolution will have no expenditure impact on Judicial.

House and Senate. The House of Representatives indicates that the resolution does not alter the duties or responsibilities of the legislative body. The Senate indicates that any expenses associated with the resolution can be managed within existing appropriations. For reference, if Senate members are required to attend meetings when the General Assembly is not in Session, members would be paid for their round-trip mileage at the federal rate, \$50 per diem, and \$231.73 subsistence. Therefore, this resolution will have no expenditure impact on the House of Representatives or the Senate.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director