



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. 0533 Introduced on February 14, 2023
Author: Alexander
Subject: SC Justice Act
Requestor: Senate Judiciary
RFA Analyst(s): Miller
Impact Date: March 27, 2023

Fiscal Impact Summary

This bill modifies the South Carolina Contribution Among Tortfeasors Act, Chapter 38 of Title 15, to permit a court to consider the percentage of fault of any nonparty or party with a settlement agreement when determining the percentage of fault of the named parties. Section 15-38-65 specifies that Chapter 38 of Title 15 is not applicable to governmental entities. Therefore, this bill will have no impact for state agencies nor local governmental entities. However, the State Fiscal Accountability Authority (SFAA) noted that if the court were to change how the SC Torts Claims Act, Chapter 78 of Title 15, is interpreted due to this bill, there may be an impact in the future.

Explanation of Fiscal Impact

Introduced on February 14, 2023

State Expenditure

This bill modifies the South Carolina Contribution Among Tortfeasors Act, Chapter 38 of Title 15, to permit a court to consider the percentage of fault of any nonparty or party with a settlement agreement when determining the percentage of fault of the named parties. Section 15-38-65 specifies that Chapter 38 of Title 15 is not applicable to governmental entities. Therefore, this bill will have no impact for state governments. However, SFAA noted that if the court were to change how the SC Torts Claims Act, Chapter 78 of Title 15, is interpreted due to this bill, there may be an impact in the future.

State Revenue

N/A

Local Expenditure

This bill modifies the South Carolina Contribution Among Tortfeasors Act, Chapter 38 of Title 15, to permit a court to consider the percentage of fault of any nonparty or party with a settlement agreement when determining the percentage of fault of the named parties. Section 15-38-65 specifies that Chapter 38 of Title 15 is not applicable to governmental entities. Therefore, this bill will have no impact for local governmental entities. However, SFAA noted that if the court were to change how the SC Torts Claims Act, Chapter 78 of Title 15, is interpreted due to this bill, there may be an impact in the future.

Local Revenue
N/A



Frank A. Rainwater, Executive Director