



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. 0841	Amended by House Judiciary on April 30, 2024
Author:	Alexander	
Subject:	Prosecutors Personal Privacy Protection Act	
Requestor:	House Judiciary	
RFA Analyst(s):	Tipton	
Impact Date:	May 1, 2024	

Fiscal Impact Summary

This bill as amended establishes the Prosecutors and Public Defenders Personal Privacy Protection Act. Under the amended bill, personal contact information of a prosecutor or public defender does not include any information required attendant to serving as a registered agent for service of process. Personal contact information held or maintained by any state or local governing entity must not be disclosed to the public if the prosecutor or public defender has filed a formal request with the entity. The bill tasks the Commission on Prosecution Coordination (CPC) in collaboration with the SC Courts Administration and the Criminal Justice Academy with creating and distributing a form to prosecutors and public defenders in the state to be used to request the restriction of the public access or posting of personal contact information by state or local government entities. The bill further amends the Act 56 of 2023, the Law Enforcement and Personal Privacy Protection Act and the Judicial Personal Privacy Protection Act, to update the definitions of personal contact information among other various changes. The amended bill delays the effective date of Act 56 to July 1, 2025, to align with the effective date of the bill. The bill as amended also states that liability may not accrue to a state or local government for claims or damages that arise from personal contact information of prosecutors, public defenders, law enforcement personnel, or judge on the public record.

This bill as amended will have no impact on CPC, Judicial, or the Criminal Justice Academy, as each entity has indicated that the creation and distribution of a form to be used by eligible prosecutors or public defenders to remove or redact personal contact information will be managed with existing staff and appropriations.

The Revenue and Fiscal Affairs Office (RFA) previously contacted all state agencies, counties, and the Municipal Association of South Carolina (MASC) regarding the classification of personal information at the request of an eligible party. Based on the significant number of responses received, RFA anticipates this amended bill will have no state or local expenditure impact because all agencies and governing entities will be able to confidentially maintain any prosecutor or public defender's personal information protected by the bill using existing resources.

Explanation of Fiscal Impact

Amended by House Judiciary on April 30, 2024

State Expenditure

This bill as amended establishes the Prosecutors and Public Defenders Personal Privacy Protection Act. Under the amended bill, personal contact information of a prosecutor or public defender does not include any information required attendant to serving as a registered agent for service of process. Personal contact information held or maintained by any state or local governing entity must not be disclosed to the public if the prosecutor or public defender has filed a formal request with the entity. The amended bill defines personal contact information, the prosecutors and public defenders that are eligible to submit this request, and certain exemptions to the restriction requirement. The bill tasks CPC in collaboration with the SC Courts Administration and the Criminal Justice Academy with creating and distributing a form to prosecutors and public defenders in the state to be used to request the restriction of the public access or posting of personal contact information by state or local government entities. The bill further amends the Act 56 of 2023, the Law Enforcement and Personal Privacy Protection Act and the Judicial Personal Privacy Protection Act, to update the definitions of personal contact information among other various changes. The amended bill delays the effective date of Act 56 to July 1, 2025, to align with the effective date of the bill. The bill as amended states that liability may not accrue to a state or local government for claims or damages that arise from personal contact information of prosecutors, public defenders, law enforcement personnel, or judge on the public record.

CPC, Judicial, and the Criminal Justice Academy have indicated that the creation and distribution of a form to be used by eligible prosecutors or public defenders to remove or redact personal contact information will be managed with existing staff and appropriations. Therefore, this bill as amended will have no impact on CPC, Judicial, or the Criminal Justice Academy.

RFA previously contacted all state agencies, counties, and MASC regarding the classification of personal information at the request of an eligible party. Based on the significant number of responses received, RFA anticipates this amended bill will have no state expenditure impact because all agencies will be able to confidentially maintain any prosecutor or public defender's personal information protected by this bill using existing resources.

State Revenue

N/A

Local Expenditure

This bill as amended establishes the Prosecutors and Public Defenders Personal Privacy Protection Act among other things.

RFA previously contacted all state agencies, counties, and MASC regarding the classification of personal information at the request of an eligible party. Based on the significant number of responses received, RFA anticipates this amended bill will have no local expenditure impact

because all governing entities will be able to confidentially maintain any prosecutor or public defender's personal information protected by this bill using existing resources.

Local Revenue

N/A

Introduced on January 9, 2024

State Expenditure

This bill establishes the Prosecutors Personal Privacy Protection Act. Under the bill, personal contact information of a prosecutor held or maintained by any state or local governing entity must not be disclosed to the public if the prosecutor has filed a formal request with the entity. The bill defines personal contact information, prosecutors that are eligible to submit this request, and certain exemptions to the restriction requirement. The bill tasks CPC with creating and distributing a form to prosecutors in the state to be used to request the restriction of the public access or posting of personal contact information by state or local government entities.

CPC indicates that the creation and distribution of a form to be used by eligible prosecutors to restrict public access to personal information under the bill will be managed with existing staff and appropriations. Therefore, this bill will have no impact on CPC.

RFA previously contacted all state agencies, counties, and MASC regarding the classification of personal information at the request of an eligible party. Based on the significant number of responses received, RFA anticipates this bill will have no state expenditure impact because all agencies will be able to confidentially maintain any prosecutor's personal information protected by this bill using existing resources.

State Revenue

N/A

Local Expenditure

This bill establishes the Prosecutors Personal Privacy Protection Act. Under the bill, personal contact information of a prosecutor held or maintained by any state or local governing entity must not be disclosed to the public if the prosecutor has filed a formal request with the entity. The bill defines personal contact information, prosecutors that are eligible to submit this request, and certain exemptions to the classification requirement.

RFA previously contacted all state agencies, counties, and MASC regarding the classification of personal information at the request of an eligible party. Based on the significant number of responses received, RFA anticipates this bill will have no local expenditure impact because all governing entities will be able to confidentially maintain any prosecutor's personal information protected by this bill using existing resources.

Local Revenue

N/A



Frank A. Rainwater, Executive Director