



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. 3597 Introduced on January 14, 2025
Subject: Reduction of Sentences for Substantial Assistance
Requestor: House Judiciary
RFA Analyst(s): Gardner
Impact Date: April 6, 2026

Fiscal Impact Summary

This bill requires that before a circuit solicitor files a motion to reduce a defendant's sentence for provided substantial assistance to the State, the appropriate law enforcement agency must verify to the solicitor that the defendant provided substantial assistance to the State and upon filing, the solicitor must notify the arresting law enforcement agency and any victims of the motion along with additional details of any hearings. Further, this bill requires the circuit judge assigned to hear the motion to conduct a hearing on the record and make certain findings.

This bill may impact the workload of the court system, the Commission of Prosecution Coordination (CPC), the Commission on Indigent Defense (CID), the Department of Corrections (Corrections), and the Department of Probation, Parole and Pardon (PPP). Judicial anticipates the responsibilities of this bill can be managed within the normal course of business. CPC, CID, Corrections, and PPP anticipate being able to manage any additional responsibilities due to this bill within existing appropriations. However, Judicial indicates that if this bill results in a significant increase in workload, Judicial may request an additional General Fund appropriation.

Explanation of Fiscal Impact

Introduced on January 14, 2025

State Expenditure

This bill relates to the filing of a motion to reduce a defendant's sentence for substantial assistance to the state. Currently, within one year of a defendant's sentencing, upon a motion by the state, the court may reduce a defendant's sentence if he provided substantial assistance in investigating or prosecuting another person or provided aid to a correctional employee or volunteer who was in danger of being seriously injured or killed. The circuit solicitor in the county where the defendant's case arose must file such motion.

This bill provides that before the motion may be filed, the appropriate law enforcement agency or warden of the correctional facility must verify to the solicitor that such assistance was provided by the defendant. The solicitor must then notify the law enforcement agency responsible for the defendant's arrest that a motion to reduce his sentence has been filed and that the agency may be present at all hearings on the motion. Further, this bill requires the circuit judge assigned to hear such motions to conduct a hearing on the record, verify that a reasonable attempt was made to notify any victims, and place findings of fact in a written order. This bill

also specifies that a defendant sentenced to a mandatory minimum may be eligible for a reduction in his sentence below the mandatory minimum at the discretion of the judge.

This bill may impact the workload of the court system, CPC, CID, Corrections, and PPP. Judicial anticipates the responsibilities of this bill can be managed within the normal course of business. CPC, CID, Corrections, and PPP anticipate being able to manage any additional responsibilities due to this bill within existing appropriations. However, Judicial indicates that if this bill results in a significant increase in workload, Judicial may request an additional General Fund appropriation.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director