



# 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.*

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<b>Bill Number:</b>	H. 3624	Introduced on January 14, 2025
<b>Subject:</b>	Tree Limbs Encroaching Over Property Lines	
<b>Requestor:</b>	House Judiciary	
<b>RFA Analyst(s):</b>	Welsh	
<b>Impact Date:</b>	March 11, 2025	

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### Fiscal Impact Summary

This bill adds an exception to the crime of malicious injury to a tree, house, outside fence, or fixture. This bill provides malicious injury to real property does not apply to a person trimming tree limbs that encroach upon their property line.

Judicial expects this bill will lead to a small reduction in the number of cases brought under the malicious injury to real property statute. Therefore, this bill will have no expenditure impact on Judicial as it anticipates managing the provisions of this bill with existing appropriations and any savings will be reallocated.

The Revenue and Fiscal Affairs Office (RFA) contacted the Municipal Association of South Carolina (MASC) and all counties to determine the local expenditure impact of this bill. Based on MASC's response, this bill may result in the need for additional training needed for municipal officers to handle disputes that may arise. Additionally, based on responses from the counties of Charleston, Chester, and Florence, the local expenditure impact on counties is expected to be minimal and managed within current budgets.

### Explanation of Fiscal Impact

#### Introduced on January 14, 2025

##### State Expenditure

This bill adds an exception to the crime of malicious injury to a tree, house, outside fence, or fixture. This bill provides malicious injury to real property does not apply to a person trimming tree limbs that encroach upon their property line.

This bill will have no expenditure impact on Judicial. Judicial expects this exception may lead to a small reduction in the number of cases brought under the malicious injury to real property statute. During FY 2023-2024, there were 376 felony charges for malicious injury disposed of in general sessions, representing 0.27 percent of cases for the year. Therefore, this bill will have no expenditure impact on Judicial as it anticipates managing the provisions of this bill with existing appropriations and any savings will be reallocated.

##### State Revenue

N/A

**Local Expenditure**

RFA contacted MASC and all counties to determine the local expenditure impact of this bill. Based on MASC's response, this bill may result in the need for additional training needed for municipal officers to handle disputes that may arise. Additionally, based on responses from the counties of Charleston, Chester, and Florence, the local expenditure impact on counties is expected to be minimal and managed within current budgets.

**Local Revenue**

N/A



Frank A. Rainwater, Executive Director