



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. 4771 Introduced on January 13, 2026
Subject: Night Hunting
Requestor: House Agriculture, Natural Resources, and Environmental Affairs
RFA Analyst(s): Vesely
Impact Date: January 15, 2026

Fiscal Impact Summary

This bill modifies existing penalties for illegal night hunting and changes the scope of hunting devices seized from an illegal night hunt among other changes. This bill also grants magistrate courts concurrent jurisdiction to impose the penalties for illegal night hunting up to a maximum fine of \$5,000, six months imprisonment, or both.

The Department of Natural Resources (DNR) anticipates this bill will have no expenditure impact for the agency as the bill does not alter the agency's responsibilities.

As this bill modifies existing offenses, it is not expected to have an additional impact on the court system bill but may impact the length of incarcerations, which may increase the population of the Department of Corrections (Corrections). However, Judicial notes that if the bill results in a significant unanticipated increase in expenses to the court system, Judicial will request a General Fund appropriation. The potential increase in expenses for Corrections will depend upon the resulting change in the length of incarcerations, which is subject to judicial discretion. For information, according to Corrections, in FY 2024-25, the annual total cost per inmate was \$37,503, of which \$35,696 was state funded.

This bill establishes a restitution fine between \$200 and \$500 for each deer that is subject to the violation of illegal night hunting. This fine is to be paid to DNR. The Other Fund revenue increase due to this fine is dependent upon the number and amount of fines collected and is, therefore, undetermined.

RFA contacted all counties to determine the potential impact of this bill. We received responses from the counties of Abbeville, Dorchester, Florence, and Horry. Dorchester County, Florence County, and Horry County each anticipate that any additional expenses due to this bill can be managed within existing resources. Abbeville County anticipates this bill will result in an increase in expenses of \$70,487 in FY 2026-27 and \$69,287 in subsequent years for additional staff time to manage the potential increase in the caseload in magistrate court.

This bill modifies what items may be seized or forfeited and delivered to DNR to be sold at public auction. The net proceeds of the sale are deposited in the County Game and Fish Fund. DNR anticipates this bill will have a minimal local revenue impact for the Game and Fish Fund as the number of items seized and resale value is minimal. For information, DNR notes that total

revenue generated by sale of seized assets due to hunting violations is estimated to be less than \$10,000 annually.

As this bill modifies existing penalties, including court fines and fees, this bill may result in an increase to court fines and fees. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, the Revenue and Fiscal Affairs Office (RFA) anticipates this bill may result in a change to the General Fund, Other Funds, and local revenue due to the change in fines and fees collected in court.

Explanation of Fiscal Impact

Introduced on January 13, 2026

State Expenditure

This bill modifies existing penalties for illegal night hunting and changes the scope of hunting devices seized from an illegal night hunt among other changes.

This bill does not alter DNR's responsibilities. Therefore, DNR anticipates no expenditure impact.

As this bill modifies existing offenses, it is not expected to have an additional impact on the court system bill but may impact the length of incarcerations, which may increase the population of Corrections. However, Judicial notes that if the bill results in a significant unanticipated increase in expenses to the court system, Judicial will request a General Fund appropriation. The potential increase in expenses for Corrections will depend upon the resulting change in the length of incarcerations, which is subject to judicial discretion. For information, according to Corrections, in FY 2024-25, the annual total cost per inmate was \$37,503, of which \$35,696 was state funded.

State Revenue

This bill establishes a restitution fine for convicted illegal night hunters between \$200 and \$500 for each deer to be paid to DNR. The increase in Other Funds revenue is dependent upon the number and amount of fines collected, and therefore, is undetermined.

As this bill modifies existing penalties, including court fines and fees, this bill may result in an increase to court fines and fees. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, RFA anticipates this bill may result in a change to the General Fund and Other Funds revenue due to the change in fines and fees collected in court.

Local Expenditure

This bill also grants magistrate courts concurrent jurisdiction to impose the penalties for illegal night hunting up to a maximum fine of \$5,000, six months imprisonment, or both. RFA contacted all counties to determine the potential impact of this bill. We received responses from the counties of Abbeville, Dorchester, Florence, and Horry. Dorchester County, Florence County, and Horry County each anticipate that any additional expenses due to this bill can be managed within existing resources. Abbeville County anticipates this bill will result in an

increase in expenses. Abbeville County anticipates the need to transition a part-time clerk to full-time and an increase in pay for the magistrate judges for additional hearings. The county estimates salary increases of \$46,376 and fringe benefits of \$22,911 for a total recurring expenditure of \$69,287 and the one-time purchase of a computer and printer totaling \$1,200. Therefore, Abbeville County anticipates this bill will increase expenses by \$70,487 in FY 2026-27 and \$69,287 in subsequent years.

Local Revenue

This bill modifies what items may be seized or forfeited and delivered to DNR to be sold at public auction. The net proceeds of the sale are deposited in the County Game and Fish Fund. DNR anticipates this bill will have a minimal local revenue impact for the Game and Fish Fund as the number of items seized and resale value is minimal. For information, DNR notes that total revenue generated by sale of seized assets due to hunting violations is estimated to be less than \$10,000 annually.

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Frank A. Rainwater, Executive Director