



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. 4805	Amended by House Judiciary Constitutional Laws Subcommittee on March 26, 2026
Subject:	Judicial Seats	
Requestor:	House Judiciary	
RFA Analyst(s):	Gardner and Tipton	
Impact Date:	March 31, 2026	

Fiscal Impact Summary

This bill as amended shifts 4 at-large family court judges' seats to designated circuit family court seats. This bill also adds an additional designated circuit court judge to the first, third, fifth, sixth, eighth, tenth, and fifteenth circuit, increasing the number of circuit judges elected from a specific circuit by 7. The bill also eliminates 3 at-large circuit seats, resulting in a net increase of 4 circuit court judges within the state. The bill specifies that the Judicial Merit Selection Commission (JMSC) must begin the process for nominating the new judges from the sixth and tenth circuit for election in 2027 and the new judges for the fifth and fifteenth circuit for election in 2028. However, the nominating process may not begin until funding for the additional judges is provided by the general appropriations act.

This bill as amended will increase annual expenses for Judicial by \$1,500,000 beginning in FY 2026-27 and an additional \$1,500,000 beginning in FY 2027-28. This includes salary and fringe expenses for 4 new circuit court judges, 4 administrative assistants, 4 court reporters, and 4 law clerks, 2 of each position in the first year and an additional 2 in the second year. The total expense for all 16.0 FTEs is \$2,675,000 and annual operating costs totaling \$325,000, for a total increase in expenses of \$3,000,000. To note, Judicial requested additional General Fund appropriations for new circuit court judges in their FY 2026-27 budget request, and the Appropriations Act for FY 2026-27 as passed by the House of Representatives on March 11, 2026, provides appropriations for 3 new circuit court judges.

This bill as amended will have a minimal impact on the Judges and Solicitors Retirement System (JSRS) and the Public Employee Benefit Authority (PEBA) due to the amended bill's reduction in the number of years of earned service that a member of the JSRS must vest in the system to receive full retirement benefits from 10 years to 8 years as well as the addition of 4 new circuit court judges. PEBA also notes that implementing the provisions of this bill can be managed with current staff and resources for the agency.

Explanation of Fiscal Impact

Amended by House Judiciary on March 27, 2026

State Expenditure

This bill as amended shifts 4 at-large family court judges' seats to designated circuit family court seats. This bill also adds an additional designated circuit court judge to the first, third, fifth, sixth, eighth, tenth, and fifteenth circuit, increasing the number of circuit judges elected from a specific circuit by 7. The bill also eliminates 3 at-large circuit seats, resulting in a net increase of 4 circuit court judges within the state.

This bill as amended will increase annual expenses for Judicial by \$1,500,000 beginning in FY 2026-27 and an additional \$1,500,000 beginning in FY 2027-28. This includes salary and fringe expenses for 4 new circuit court judges, 4 administrative assistants, 4 court reporters, and 4 law clerks, 2 of each position in the first year and an additional 2 in the second year. The total expense for all 16.0 FTEs is \$3,000,000. This includes salary and fringe for 16.0 FTEs totaling \$2,675,000 and annual operating costs totaling \$325,000. The following table provides the salary and fringe expenses for the new FTEs.

	Positions	Salary	Fringe	Total
Judge	4	\$887,700	\$628,300	\$1,516,000
Admin. Assistant	4	\$175,000	\$95,000	\$270,000
Court Reporter	4	\$300,000	\$164,000	\$464,000
Law Clerk	4	\$275,000	\$150,000	\$425,000
Total	16	\$1,637,700	\$1,037,300	\$2,675,000

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The bill as amended reduces the number of years of earned service that a member of the JSRS must vest in the retirement system to receive full retirement benefits from 10 years to 8 years. PEBA indicates that based on a prior actuarial analysis, this reduction in the vesting period as well as the addition of 4 new circuit court judges will have a minimal impact on the JSRS. PEBA also reports that implementing the provisions of this bill can be managed with current staff and resources and will have no expenditure impact on the agency.

State Revenue

N/A

Local Expenditure and Revenue

N/A



Frank A. Rainwater, Executive Director