



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. 4806	Introduced on January 13, 2026
Subject:	Bond Reform	
Requestor:	House Judiciary	
RFA Analyst(s):	Gardner	
Impact Date:	March 9, 2026	

Fiscal Impact Summary

This bill excludes a defendant charged of a felony offense involving a firearm or drugs from posting cash in an amount not to exceed 10 percent in lieu of posting bond. The bill also modifies provisions related to bail and recognizances to add new conditions that the court be considered by the conditions of release that will assure appearance, including the law enforcement officers observations of the defendants mental condition that may require the individual to be transported for the purposes of an emergency psychiatric evaluation.

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

Revenue and Fiscal Affairs (RFA) contacted all counties and the Municipal Association of South Carolina (MASC) to determine the local impact. MASC indicates that implementation of the bill may increase the number of individuals held in municipal custody prior to trial, which may result in higher pretrial detention costs for municipalities. However, this cost would vary based on the municipalities' individual contract agreements.

Explanation of Fiscal Impact

Introduced on January 13, 2026

State Expenditure

This bill excludes a defendant charged of a felony offense involving a firearm or drugs from posting cash in an amount not to exceed 10 percent in lieu of posting bond. The bill also modifies provisions related to bail and recognizances by adding new conditions that may be considered by the court in determining whether to release an offender from custody. The bill provides that the court may, in determining whether to release an offender, consider a law enforcement officer's concerns about the offender's mental condition. The bill also provides that when determining whether to release an offender from custody, the court must consider whether the arresting officer directly observed behavior that may cause the offender to be transported for

administration of an emergency psychiatric evaluation or may require the court to order the offender to seek medical treatment upon release.

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

State Revenue

N/A

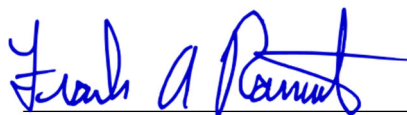
Local Expenditure

This bill excludes a defendant charged of a felony offense involving a firearm or drugs from posting cash in an amount not to exceed 10 percent in lieu of posting bond. The bill also modifies provisions related to bail and recognizances to add new conditions that the court be considered by the conditions of release that will assure appearance, including the law enforcement officers observations of the defendants mental condition that may require the individual to be transported for the purposes of an emergency psychiatric evaluation.

RFA surveyed the counties and the Municipal Association of South Carolina as to the potential fiscal impact of the bill. MASC indicates that implementation of the bill may increase the number of individuals held in municipal custody prior to trial, which may result in higher pretrial detention costs for municipalities. However, this cost would vary based on the municipalities' individual contract agreements. Implementation of the bill may also result in a reduction in the number of individuals held in municipal custody if their observed behavior by officers prompts mental health or other medical evaluation. RFA anticipates the potential impact of any increase will vary as the process for an emergency psychiatric evaluation varies among the counties.

Local Revenue

N/A



Frank A. Rainwater, Executive Director