



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:	S. 0059	Introduced on January 14, 2025
Subject:	Increased Penalties for Driving Without a License	
Requestor:	Senate Transportation	
RFA Analyst(s):	Griffith	
Impact Date:	April 29, 2025 - Updated for Revised Agency Response	

Fiscal Impact Summary

This bill increases the penalties of a first offense for driving a motor vehicle without a driver's license from a maximum of \$100 to \$300 and specifies that the individual may be fined and imprisoned. The bill also increases the penalties of a second offense from \$500 to \$600 and increases the imprisonment time from forty-five days to a maximum of sixty days. The bill further specifies that for a third or subsequent offense, the convicted person must either be imprisoned or confined to the person's place of residence pursuant to the Home Detention Act.

This bill may result in an increase in the number of magistrates and municipal court cases. While these are locally funded courts, Judicial offers administrative support for these courts. Judicial anticipates being able to manage any additional responsibilities due to this bill. The Department of Probation, Parole and Pardon Services (PPP) indicates that it can manage the provisions of the bill with existing appropriations. Therefore, there is no expenditure impact to PPP.

The Department of Corrections expects that the increase in penalties may increase its workload. However, there is no data with which to estimate the increase. The Department of Corrections anticipates that any increase in caseload can be managed with existing appropriations. However, if the bill results in a significant increase in caseload, the department will request an increase in General Fund appropriations. For information, according to Corrections, in FY 2023-24, the annual total cost per inmate was \$40,429, of which \$36,553 was state funded.

The expenditure impact on the Department of Motor Vehicles (DMV) is pending, contingent upon a further response from the agency.

The Revenue and Fiscal Affairs Office (RFA) anticipates that the bill may increase local expenses due to the potential increase in the jail system. However, the amount of expenses will depend upon the increase in the number of individuals being imprisoned and the length of the imprisonment. Additionally, RFA surveyed all counties and the Municipal Association of South Carolina (MASC) to determine the fiscal impact of the bill on local governments. Florence County does not anticipate an expenditure impact. MASC indicates that the amended penalties will make second offenses ineligible to be heard in municipal courts, which may result in a transfer of cases heard by municipal courts.

This bill may result in an increase in the fines and fees collected in court. 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 General Fund, Other Funds, and local revenue due to the change in fines and fees collections in court.

This fiscal impact statement has been updated to include a revised response from the Department of Corrections.

Explanation of Fiscal Impact

Updated for Revised Agency Response on April 29, 2025

Introduced on January 14, 2025

State Expenditure

This bill increases the penalties of a first offense for driving a motor vehicle without a driver's license from a maximum of \$100 to \$300 and specifies that the individual may be fined and imprisoned. The bill also increases the penalties of a second offense from \$500 to \$600 and increases the imprisonment time from forty-five days to a maximum of sixty days. The bill further specifies that for a third or subsequent offense, the convicted person must either be imprisoned or confined to the person's place of residence pursuant to the Home Detention Act.

This bill may result in an increase in the number of magistrates and municipal court cases. While these are locally funded courts, Judicial offers administrative support for these courts. Judicial anticipates being able to manage any additional responsibilities due to this bill. PPP indicates that it can manage the provisions of the bill with existing appropriations. Therefore, there is no expenditure impact to PPP.

The Department of Corrections anticipates that the bill may increase the number of inmates housed by the Department of Corrections. However, no data is available to estimate the increase in workload due to the increased penalties. The Department of Corrections anticipates that the potential increase in caseload can be managed within existing appropriations. However, if the bill results in a significant increase in caseload, the department will request an increase in General Fund appropriations. For information, according to Corrections, in FY 2023-24, the annual total cost per inmate was \$40,429, of which \$36,553 was state funded.

The expenditure impact on DMV is pending, contingent upon a further response from the agency.

This section of the fiscal impact statement has been updated to include a revised response from the Department of Corrections.

State Revenue

This bill increases the penalties of a first offense for driving a motor vehicle without a driver's license from a maximum of \$100 to \$300. For a second offense, the fine is increased from \$500 to \$600. For a third or subsequent offense, the bill adds a fine of \$1,000, in addition to imprisonment or confinement under home detention. This bill may result in an increase in the

finest and fees collected in court. 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 General Fund and Other Funds revenue due to the change in fines and fees collections in court.

Local Expenditure

This bill increases the penalties of a first offense for driving a motor vehicle without a driver's license from a maximum of \$100 to \$300 and specifies that the individual may be fined and imprisoned. The bill also increases the penalties of a second offense from \$500 to \$600 and increases the imprisonment time from forty-five days to a maximum of sixty days. The bill further specifies that for a third or subsequent offense, the convicted person must either be imprisoned or confined to the person's place of residence pursuant to the Home Detention Act.

RFA anticipates that the bill may increase local expenses due to the potential increase in the jail system. However, the amount of expenses will depend upon the increase in the number of individuals being imprisoned and the length of the imprisonment. Additionally, RFA surveyed all counties and the MASC to determine the fiscal impact on local governments. Florence County does not anticipate that the bill will have an expenditure impact. MASC indicates that the amended penalties will make second offenses ineligible to be heard in municipal courts, which may result in a transfer of cases heard by municipal courts.

Local Revenue

This bill increases the penalties of a first offense for driving a motor vehicle without a driver's license from a maximum of \$100 to \$300 and specifies that the individual may be fined and imprisoned. The bill also increases the penalties of a second offense from \$500 to \$600 and increases the imprisonment time from forty-five days to a maximum of sixty days. The bill further specifies that for a third or subsequent offense, the convicted person must either be imprisoned or confined to the person's place of residence pursuant to the Home Detention Act.

This bill may result in an increase in the fines and fees collected in court. 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 local revenue due to the change in fines and fees collections in court.



Frank A. Rainwater, Executive Director