



# 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>	S. 0110	Introduced on January 14, 2025
<b>Subject:</b>	Air Quality	
<b>Requestor:</b>	Senate Medical Affairs	
<b>RFA Analyst(s):</b>	Griffith	
<b>Impact Date:</b>	March 20, 2025 - Updated for Revised Agency Response	

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### Fiscal Impact Summary

This bill prohibits the intentional emission of air contaminants within the borders of the state with the express purpose of affecting temperature, weather, or the intensity of sunlight.

The Department of Environmental Services (DES) reports that it does not have regulatory authority over emissions from aircraft. Section 233 of the Clean Air Act, 42 U.S.C. §7573, prohibits states from adopting or enforcing regulations on emissions of any air pollutant from any aircraft or engine. This regulatory authority is vested exclusively in the federal government.

Judicial reports that implementation of the bill may result in an increase in circuit court caseloads, which can be managed using existing staff and appropriations. Therefore, the bill will result in no expenditure impact for Judicial. Additionally, this bill will have no expenditure impact on the Attorney General's Office since the agency can manage the responsibilities of the bill within the normal course of business.

As this bill creates new offenses, this may result in a change to General Fund, Other Funds and local fine revenue. However, as the number of such offenses and the resulting fines and fees that might occur in a given year is unknown, the revenue impact is undetermined.

*This fiscal impact statement has been updated to include a revised response from DES.*

### Explanation of Fiscal Impact

**Updated for Revised Agency Response on March 20, 2025**

**Introduced on January 14, 2025**

#### **State Expenditure**

This bill prohibits the intentional emission of air contaminants within the borders of the state with the express purpose of affecting temperature, weather, or the intensity of sunlight.

**Department of Environmental Services.** DES reports that it does not have regulatory authority over emissions from aircraft. Section 233 of the Clean Air Act, 42 U.S.C. §7573, prohibits states from adopting or enforcing regulations on emissions of any air pollutant from any aircraft or engine. This regulatory authority is vested exclusively in the federal government.

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

**Judicial.** Judicial reports that implementation of the bill may result in an increase in circuit court caseloads, which can be managed using existing staff and appropriations. Therefore, the bill will result in no expenditure impact for Judicial.

**Attorney General's Office.** This bill gives the Attorney General's Office the authority to bring an action to enforce the provisions of the bill. The Attorney General's Office indicates that the responsibilities in the bill can be managed within the normal course of business. Therefore, the bill will have no expenditure impact on the agency.

### **State Revenue**

This bill prohibits the intentional emission of air contaminants within the borders of the state with the express purpose of affecting temperature, weather, or the intensity of sunlight. This bill may result in a change in the fines and fees collected in court. 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 a change to General Fund and Other Funds revenue due to the change in fines and fees collections in court.

### **Local Expenditure**

N/A

### **Local Revenue**

This bill prohibits the intentional emission of air contaminants within the borders of the state with the express purpose of affecting temperature, weather, or the intensity of sunlight. This bill may result in a change 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 change to local revenue due to the change in fines and fees collections in court.



Frank A. Rainwater, Executive Director