



# 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. 0340	Introduced on February 13, 2025
<b>Subject:</b>	Unlawful to Smoke in a Car with a Minor in the Vehicle	
<b>Requestor:</b>	Senate Transportation	
<b>RFA Analyst(s):</b>	Gardner	
<b>Impact Date:</b>	March 5, 2025	

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### Fiscal Impact Summary

This bill makes it unlawful to smoke a tobacco product in a motor vehicle containing a passenger who is less than 12 years old and creates an associated penalty.

Judicial reports that while there are no data to estimate the number of cases that may result from implementation of the bill, it expects to manage any increase in magistrate court caseloads using existing staff and resources. Should there be a significant increase in caseloads, Judicial will request additional General Fund appropriations. The Department of Motor Vehicles (DMV) indicates this bill will have no expenditure impact since it does not impose additional responsibilities on the agency.

The local expenditure impact is undetermined beginning in FY 2025-26. The Revenue and Fiscal Affairs Office (RFA) surveyed the counties and contacted the Municipal Association of South Carolina (MASC) as to the potential expenditure impact of the bill and received a response from MASC, Horry County and Florence County. MASC indicates that this bill may increase the number of cases tried in municipal courts and while the costs associated with hearing additional cases are partially recouped by fines collected through assessed penalties, the fines do not fully subsidize the cost burden of court proceedings to municipalities.

Florence County indicates there would be no expenditure impact and Horry County indicates that the police department would need additional annual funds in excess of \$145,000 for additional officers and equipment and a non-recurring set up cost of \$95,000.

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 a change to General Fund, Other Funds, and local revenue due to the change in fines and fees collections in court.

## **Explanation of Fiscal Impact**

**Introduced on February 13, 2025**

### **State Expenditure**

This bill makes it unlawful to smoke a tobacco product in a motor vehicle containing a passenger who is less than 12 and establishes a penalty of \$100 for each violation.

Judicial reports that while there are no data to estimate the number of cases that may result from implementation of the bill, it expects to manage any increase in magistrate court caseloads using existing staff and resources. Should there be a significant increase in caseloads, Judicial will request additional General Fund appropriations. DMV indicates this bill will have no expenditure impact since it does not impose additional responsibilities on the agency.

### **State Revenue**

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

### **Local Expenditure**

RFA surveyed the counties and contacted the MASC as to the potential expenditure impact of the bill and received a response from MASC, Horry County and Florence County.

MASC indicates that this bill may increase the number of cases tried in municipal courts and while the costs associated with hearing additional cases are partially recouped by fines collected through assessed penalties, the fines do not fully subsidize the cost burden of court proceedings to municipalities. Florence County indicated there would be no expenditure impact and Horry County indicates that the police department would need additional annual recurring funds more than \$145,000 for additional officers and equipment and a non-recurring set up cost of \$95,000. Based on these responses, the local expenditure impact is undetermined beginning in FY 2025-26.

### **Local Revenue**

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 a change to local revenue due to the change in fines and fees collections in court.



Frank A. Rainwater, Executive Director