



# 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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**Bill Number:** S. 0427     Introduced on March 5, 2025  
**Subject:** Mistreating Horses Prohibited  
**Requestor:** Senate Judiciary  
**RFA Analyst(s):** Gardner  
**Impact Date:** March 20, 2025

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### Fiscal Impact Summary

This bill increases the associated penalty schedules related to the mistreatment or injury of police animals.

This bill may impact the caseload in circuit court, and potentially the number of incarcerations, which may increase the workload of the court system and the Commission of Indigent Defense, the Commission on Prosecution Coordination, the Department of Corrections (Corrections), and the Department of Probation, Parole and Pardon Services (PPP). Judicial indicates that the increase in the caseload in court is expected to be managed within existing appropriations. Additionally, the potential increase in expenses for each agency will depend upon the increase in the number of cases and number of incarcerations. These agencies anticipate that the potential increase in workload can be managed within existing appropriations. Further, the State Law Enforcement Division (SLED) indicates the bill requires the agency to perform activities that will be conducted in the normal course of agency business. As a result, this bill does not have an expenditure impact. 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 and Judicial reports there were only six cases that were disposed of from the existing statute during FY 2023-24.

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, Dorchester County, Florence County, and Horry County. All report that any change in workload due to the provisions of the bill can be managed with existing staff and resources.

This bill levies increased fines of up to \$20,000 against persons convicted of certain violent crimes to animals, which may result in an increase in the amount of fines collected by the court. Court fines are distributed to the General Fund, Other Funds, and local funds. Therefore, RFA anticipates this bill may result in an undetermined increase to General Fund, Other Funds, and local revenue due to the unknown increase in fine collections by the court.

## Explanation of Fiscal Impact

**Introduced on March 5, 2025**

### State Expenditure

This bill increases the associated penalty schedules related to the mistreatment or injury of police animals as follows:

<b>Current Penalty Schedule: Section 47-3-630</b>	
<b>Misdemeanor Offense</b>	<b>Penalty</b>
Violation of Section 47-3-610, willful taunting, tormenting, teasing, beating, striking, or administering a desensitizing substance to a dog or horse used by law enforcement	Fine of $\geq$ \$500 but $\leq$ \$1,000, imprisonment for $\geq$ 30 days but $\leq$ 6 months, or both
<b>Felony Offense</b>	<b>Penalty</b>
Violation of Section 47-3-620, willful torturing, mutilating, injuring, disabling, poisoning, or killing a dog or horse used by law enforcement	Fine of $\geq$ \$2,000 but $\leq$ \$5,000 and imprisonment for $\geq$ 1 year but $\leq$ 5 years
<b>New Penalty Schedule: Section 47-3-610(B), replaces misdemeanor offense penalty listed above</b>	
<b>Misdemeanor Offense</b>	<b>Penalty</b>
Violation of Section 47-3-610(A), willful taunting, tormenting, teasing, beating, striking, or administering a desensitizing substance to a dog or horse used by law enforcement	Fine of $\geq$ \$2,000 but $\leq$ \$5,000, imprisonment for $\geq$ 30 days but $\leq$ 5 years, or both
<b>New Penalty Schedule: Section 47-3-620(B), replaces felony offense penalty listed above</b>	
<b>Misdemeanor Offense</b>	<b>Penalty</b>
Violation of Section 47-3-620(A), willful torturing, mutilating, injuring, disabling, poisoning, or killing a dog or horse used by law enforcement	Fine of $\geq$ \$2,000 but $\leq$ \$20,000 and imprisonment for $\geq$ 2 years but $\leq$ 10 years, plus payment of restitution to affected law enforcement agency and possible sentencing of one year of animal-related community service

This bill may impact the caseload in circuit court, and potentially the number of incarcerations, which may increase the workload of the court system and the Commission of Indigent Defense, the Commission on Prosecution Coordination, the Department of Corrections (Corrections), and the Department of Probation, Parole and Pardon Services (PPP). Judicial indicates that the increase in the caseload in court is expected to be managed within existing appropriations.

Additionally, the potential increase in expenses for each agency will depend upon the increase in the number of cases and number of incarcerations. These agencies anticipate that the potential increase in caseload can be managed within existing appropriations. Further, the State Law Enforcement Division (SLED) indicates the bill requires the agency to perform activities that will be conducted in the normal course of agency business. As a result, this bill does not have an expenditure impact. 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 and Judicial reports there were only six cases that were disposed of from the existing statute during FY 2023-24.

### **State Revenue**

This bill may result in an increase in the amount of fines collected by the court. Court fines are distributed to the General Fund, Other Funds, and local funds. Therefore, RFA anticipates this bill may result in an undetermined increase to General Fund and Other Funds revenue due to the increase in fine collections by the 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, Dorchester County, Florence County, and Horry County. All report that any change in workload due to the provisions of the bill can be managed with existing staff and resources.

### **Local Revenue**

This bill may result in an increase in the amount of fines collected by the court. Court fines are distributed to the General Fund, Other Funds, and local funds. Therefore, RFA anticipates this bill may result in an undetermined increase to local revenue due to the increase in fine collections by the court. For information, this bill includes a fine of restitution to the affected law enforcement agency in an amount that would cover the full cost of restoring or replacing the animal that was injured or killed. Horry County notes the most recent canine purchase was in excess of \$18,000.



Frank A. Rainwater, Executive Director