



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. 0455	Introduced on March 13, 2025
Subject:	Strangulation	
Requestor:	Senate Judiciary	
RFA Analyst(s):	Gardner	
Impact Date:	April 9, 2025	

Fiscal Impact Summary

This bill creates the offense of strangulation of another person and establishes an associated penalty schedule. The bill also provides for an enhanced penalty for instances of aggravated strangulation. While lack of physical injury to another person is not a defense against prosecution, it is an affirmative defense when the act of strangulation was committed as part of a necessary medical procedure or was an otherwise lawful action taken by a person or a member of law enforcement.

This bill may impact the caseload in general sessions 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 impact in the caseload in circuit court is expected to be managed within existing appropriations. However, if this bill results in a significant increase in the caseload additional General Fund appropriations may be requested. The potential increase in expenses for each agency will depend upon the increase in the number of cases and number of incarcerations. These agencies indicate that if this bill results in a significant increase in the workload, then an increase in General Fund appropriations may be requested. 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.

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 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 March 13, 2025

State Expenditure

The bill provides that the offense of strangulation is committed when an offender knowingly or intentionally impedes or creates a substantial risk to air flow or blood circulation by external pressure to the throat, or blocking the victim's nose or mouth, or applying weight to the torso,

abdomen, or shoulders so as to restrict a person's breathing. This offense, which does not require the intent to kill or to protractedly injure a victim, is punishable by imprisonment for not less than three years nor more than ten years. Aggravated strangulation occurs when an offender, at the time the offense is committed, is subject to a valid order of protection or restraining order, wields a deadly weapon or ligatures, or has a prior conviction for a strangulation offense. The enhanced penalty for aggravated strangulation requires imprisonment for not less than ten nor more than twenty years. While lack of physical injury to another person is not a defense against prosecution, it is an affirmative defense when the act of strangulation was committed as part of a necessary medical procedure or was an otherwise lawful action taken by a person or a member of law enforcement.

This bill may impact the caseload in general sessions court and potentially the number of incarcerations, which may increase the workload of the court system and CID, the Commission on Prosecution Coordination, Corrections, and PPP. Judicial indicates that the impact in the caseload in circuit court is expected to be managed within existing appropriations. However, if this bill results in a significant increase in the caseload additional General Fund appropriations may be requested. The potential increase in expenses for each agency will depend upon the increase in the number of cases and number of incarcerations. These agencies indicate that if this bill results in a significant increase in the workload, then an increase in General Fund appropriations may be requested. 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.

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

N/A

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