



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. 0726 Prefiled on December 10, 2025
Subject: Civil Asset Forfeiture
Requestor: Senate Judiciary
RFA Analyst(s): Boggs
Impact Date: January 12, 2026

Fiscal Impact Summary

This bill adds fentanyl or fentanyl-related substance to the forfeiture statute to provide that if a motor vehicle is used, intended for use, or facilitates a violation involving more than two grains of fentanyl or fentanyl-related substance, then the motor vehicle is subject to forfeiture to the State.

This bill will have no expenditure impact on the South Carolina Law Enforcement Division (SLED) or the Department of Public Health (DPH). These agencies indicate that they can manage the provisions of this bill within existing staff and appropriations.

This bill may impact Common Pleas court caseloads. Judicial anticipates that the potential change in caseload can be managed within existing staff and appropriations. However, if this bill results in a significant increase in the caseload, Judicial anticipates an increase in General Fund appropriations may be requested.

The Revenue and Fiscal Affairs Office (RFA) contacted all counties and the Municipal Association of South Carolina (MASC) to determine the impact on local law enforcement. RFA received a response from the counties of Edgefield, Florence, and Horry and MASC. All responding counties anticipate that this bill will have no fiscal impact. MASC anticipates this bill may create a small increase in revenue for municipal law enforcement agencies since it will enable the permitted seizure of more vehicles.

Explanation of Fiscal Impact

Prefiled on December 10, 2025

State Expenditure

This bill adds fentanyl or fentanyl-related substance to the forfeiture statute to provide that if a motor vehicle is used, intended for use, or facilitates a violation involving more than two grains of fentanyl or fentanyl-related substance, then the motor vehicle is subject to forfeiture to the State.

This bill will have no expenditure impact on SLED or DPH. These agencies indicate that they can manage the provisions of this bill within existing staff and appropriations.

This bill may impact Common Pleas court caseloads. The potential change in expenditures will depend upon the number of new forfeiture cases that will be filed as a result of this bill and other resulting expenditures, such as court interpreting. Judicial provided the following for information, in FY 2024-25, 385 forfeiture cases were filed in Common Pleas courts, with an additional 193 forfeiture consent order cases filed. Together, these constituted 0.6% of Common Pleas cases filed during FY 2024-25. Judicial anticipates that any potential change in caseload can be managed within existing staff and appropriations. However, if this bill results in a significant increase in the caseload, Judicial anticipates an increase in General Fund appropriations may be requested.

State Revenue

N/A

Local Expenditure

RFA contacted all counties and MASC to determine the impact on local law enforcement. RFA received a response from the counties of Edgefield, Florence, and Horry and MASC. All responding counties anticipate that this bill will have no expenditure impact. MASC did not indicate an expectation of a local expenditure impact due to this bill.

Local Revenue

RFA contacted all counties and MASC to determine the local fiscal impact. RFA received a response from the counties of Edgefield, Florence, and Horry and MASC. The counties anticipate that this bill will have no impact. MASC anticipates this bill may create a small increase in local revenue for municipal law enforcement agencies since it will enable the permitted seizure of more vehicles.



Frank A. Rainwater, Executive Director