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. 0744 Introduced on January 13, 2026
Subject:	Eviction Expungement
Requestor:	Senate Judiciary
RFA Analyst(s):	Vesely
Impact Date:	January 13, 2026

Fiscal Impact Summary

This bill allows a person who has a civil eviction file to apply for expungement of the file to the magistrate court in the county in which he resides. The expungement must be granted if the person has had no additional evictions in the state within five years since the last eviction. This bill would require magistrate courts to verify the application meets these conditions for expungement. The fees for civil expungement as provided for in this bill are to be set by the Office of Court Administration.

This bill will require Judicial to undertake activities within its normal scope of business, such as setting a fee schedule, creating forms, training judges and staff, supporting the local magistrate courts, and updating case management software. Judicial anticipates that costs associated with these activities can be managed within existing appropriations. However, if the bill results in a significant increase in expenses, Judicial will request an increase in General Fund appropriations.

Revenue and Fiscal Affairs (RFA) contacted all counties to determine the local fiscal impact due to this bill and received responses from the counties of Abbeville, Charleston, Cherokee, Clarendon, Dorchester, and Horry. Horry County anticipates no expenditure impact due to this bill. Abbeville County, Cherokee County, Clarendon County, and Dorchester County all anticipate an increase in expenses due to the increase in the workload in magistrate courts. Charleston County notes this bill may have an impact on local expenditures, depending upon case management system updates managed by Judicial and other costs. Additional details are provided in the Local Expenditure Section of the Explanation of Fiscal Impact below.

This bill will result in an increase in court fines and fees, including the newly created fees for civil expungement due to the increase in the caseload in magistrate courts. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, RFA anticipates this bill will result in an increase to the General Fund, Other Funds and local revenue due to the increase in fines and fees collections in court.

Explanation of Fiscal Impact

Introduced on January 13, 2026
State Expenditure
This bill allows a person who has a civil eviction file to apply for expungement of the file to the magistrate court in the county in which he resides. The expungement must be granted if the person has had no additional evictions in the state within five years since the last eviction. This bill would require magistrate courts to verify application meets these conditions for expungement. The fees for civil expungement as provided for in this bill are to be set by the Office of Court Administration.

This bill will increase the caseload in magistrate court. Judicial anticipates this bill will require it to undertake activities within its normal scope of business, such as setting a fee schedule, creating forms, training judges and staff, supporting the local magistrate courts, and updating case management software. Judicial anticipates that costs associated with these activities can be managed within existing appropriations. However, if the bill results in a significant increase in expenses, Judicial will request an increase in General Fund appropriations.

State Revenue
This bill will result in an increase in court fines and fees, including the newly created fees for civil expungement. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, RFA anticipates this bill may result in an increase to the General Fund and Other Funds revenue due to the change in fines and fees collections in court.

Local Expenditure
This bill may increase the number of actions filed in magistrate court. RFA contacted all counties to determine the local fiscal impact due to this bill and received responses from the counties of Abbeville, Charleston, Cherokee, Clarendon, Dorchester, and Horry.

Horry County anticipates any additional cost due to the bill can be managed within existing resources. All other responding counties anticipate this bill may result in an increase in expenses. Charleston County anticipates an undetermined expenditure increase, depending upon the business process for managing the expungements and other costs. The county also noted that it had 13,700 eviction filings in the 2025 calendar year. Clarendon County anticipates additional staff and resources may be required to manage the additional responsibilities of this bill. Dorchester County responded that the additional work provided by this bill may require an additional part-time clerk. Cherokee County anticipates hiring an additional clerk in order to process eviction expungement requests in a timely manner. The county anticipates salary costs of $41,658 and fringe costs of $20,266 for a recurring total of $61,924. Additionally, the county anticipates approximately $2,000 in recurring and $10,000 in one-time office supplies. Therefore, Cherokee County anticipates an increase in expenses of $73,924 in FY 2026-27 and $63,924 in subsequent years.

Abbeville County anticipates the need to promote a part-time clerk to full-time to support the increase in the caseload in magistrate court, with a salary cost of $29,250 and fringe cost of

$18,031 for a total expenditure impact of $47,281. Additionally, Abbeville would require an additional computer at a cost of approximately $800, and an additional printer at a cost of approximately $400. This means Abbeville County's expenditure impact is expected to be $48,481 in FY 2026-27 and $47,281 in subsequent years.

Local Revenue
This bill will result in an increase in court fines and fees, including the newly created fees for civil expungement. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, RFA anticipates this bill may result in an increase to the General Fund and Other Funds revenue due to the change in fines and fees collections in court.

Frank A. Rainwater, Executive Director