



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: H. 4703
Author: Delleney
Subject: Use of Deadly Force
Requestor: Senate Judiciary
RFA Analyst(s): Gardner
Impact Date: February 16, 2016

Estimate of Fiscal Impact

	FY 2016-17	FY 2017-18
State Expenditure		
General Fund	\$0	\$0
Other and Federal	\$0	\$0
Full-Time Equivalent Position(s)	0.00	0.00
State Revenue		
General Fund	\$0	\$0
Other and Federal	\$0	\$0
Local Expenditure	\$0	\$0
Local Revenue	\$0	\$0

Fiscal Impact Summary

This bill would have no expenditure impact on the General Fund, Federal Funds, or Other Funds.

Explanation of Fiscal Impact

State Expenditure

This bill relates to immunity from criminal prosecution and civil actions for a person's use of deadly force for defense against unlawful entry by another party into a dwelling, residence, or occupied vehicle. It establishes a procedure for an evidentiary hearing on a pretrial motion to dismiss and allows for an immediate appeal of court judgments, orders, or decrees denying immunity. The bill also enables the Supreme Court to review upon appeal any judgment, order, or decree denying immunity from criminal prosecution or civil action pursuant to the Protection of Persons and Property Act that is not otherwise a final judgment that determines the action.

The Judicial Department reports that any additional expenditures from the implementation of this bill can be absorbed within existing appropriations and would have no expenditure impact on the General Fund. Should any additional hearings or trials related to immunity cases be held, it could result in an increased backlog for Circuit courts.

State Revenue

N/A

Local Expenditure and Revenue

N/A



Frank A. Rainwater, Executive Director