



# SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE

## STATEMENT OF ESTIMATED FISCAL IMPACT

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Bill Number: S. 0512  
 Author: McElveen  
 Requestor: Senate Judiciary  
 Date: March 23, 2015  
 Subject: Willful damage to a water system  
 RFA Analyst(s): Wren and Shealy

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### Estimate of Fiscal Impact

	FY 2015-16	FY 2016-17
<b>State Expenditure</b>		
General Fund	\$0	N/A
Other and Federal	\$0	N/A
Full-Time Equivalent Position(s)	0.00	0.00
<b>State Revenue</b>		
General Fund	Minimal	N/A
Other and Federal	N/A	N/A
<b>Local Expenditure</b>	Minimal	N/A
<b>Local Revenue</b>	N/A	N/A

#### Fiscal Impact Summary

This bill would have no expenditure impact on Federal or Other Funds. The Judicial Department indicates that this bill could have an expenditure impact on the General Fund, but any expenses could be absorbed by the department. Based on information provided by the Municipal Association, this bill would have a minimal expenditure impact on municipal governments.

This bill would have minimal to no revenue impact on the State's General Fund. There would be no revenue impact on Federal or Other Funds.

### Explanation of Fiscal Impact

#### State Expenditure

This bill amends Section 6-13-90, which outlines the penalties associated with willful damage to a water system operated by a water district.

**Judicial Department.** This bill varies the penalty, based on the value of the damage, for willful damage to a water system. Currently, this offense is tried in the summary courts. Under this bill, this offense would be heard in summary or general sessions courts. During FY 2013-14, there were no charges filed or convictions for the offense of willful damage to a water system. If any hearings or trials would be held in general sessions court as a result of this legislation, it is anticipated that the Judicial Department would absorb this cost to General Funds. It is also

anticipated that the passage of the bill could impact the general sessions court dockets due to additional hearings and trials. There is no impact on Federal or Other Funds.

**State Revenue**

Based on data obtained from the Judicial Department, there were no convictions associated with Section 6-13-90 in general sessions court, magistrates court, or municipal court in FY 2013-14. Additionally, the fines associated with this amended Section are left to the discretion of the courts. Any revenue associated with this bill would be allocated by statute based on the individual courts. A portion of the revenue derived from fees would be allocated to the General Fund and the remainder would be allocated per statute depending on the type of court. Since there were no convictions associated with this Section in FY 2013-14, and assuming a similar pattern in FY 2015-16, our office estimates this bill would have minimal to no revenue impact in FY 2015-16.

**Local Expenditure**

The Revenue and Fiscal Affairs Office contacted the Municipal Association and twenty-three county governments regarding the expenditure impact of this bill. We received a response from the Municipal Association and no county responses. The Municipal Association reports this bill would have minimal impact on municipal governments. Since our office received no responses from the counties surveyed, we cannot provide an impact on county governments.

**Local Revenue**

N/A

  
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Frank A. Rainwater, Executive Director