



**SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE**  
**STATEMENT OF ESTIMATED FISCAL IMPACT**  
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**Bill Number:** H. 4496 Introduced on January 9, 2018  
**Author:** Bannister  
**Subject:** Political Subdivision  
**Requestor:** House Judiciary  
**RFA Analyst(s):** Gardner  
**Impact Date:** March 26, 2018

**Estimate of Fiscal Impact**

	<b>FY 2018-19</b>	<b>FY 2019-20</b>
<b>State Expenditure</b>		
General Fund	\$73,455	\$3,000
Other and Federal	\$0	\$0
Full-Time Equivalent Position(s)	0.00	0.00
<b>State Revenue</b>		
General Fund	\$0	\$0
Other and Federal	\$0	\$0
<b>Local Expenditure</b>	Undetermined	\$0
<b>Local Revenue</b>	\$0	\$0

**Fiscal Impact Summary**

This bill will have a recurring expenditure impact on the General Fund of the State Law Enforcement Division of \$73,455 beginning in FY 2019-20, and it will have a non-recurring expenditure impact on the General Fund of \$3,000 for FY 2019-20 only. There will be no impact to Federal Funds or Other Funds. Due to the limited number of responses from surveyed counties, our office is not able to determine the expenditure impact of this bill on local governments.

**Explanation of Fiscal Impact**

**Introduced on January 9, 2018**

**State Expenditure**

This bill requires the State Law Enforcement Division (SLED) to create, maintain, and certify an Immigration Compliance Report (ICR) listing by name each South Carolina political subdivision the agency determines to be in compliance with existing provisions related to a person's immigration status (Sections 17-3-170(E) and 23-3-1100). Before June first of each year, each of the state's political subdivisions must provide to SLED documentation and information showing compliance with these sections of law or otherwise provide written information claiming exemption. SLED must annually provide copies of the ICR to the Governor, General Assembly, and State Treasurer. Beginning July 1, 2019, the State Treasurer will be prohibited from disbursing Local Government Fund appropriations to a political subdivision that has not been certified as compliant by SLED in the ICR.

SLED is authorized to conduct criminal investigations to verify certifications and ensure compliance by political subdivisions. Local government employees found to have intentionally and materially falsified compliance documentation to SLED in the ICR may be subject to prosecution for perjury. Political subdivisions found to have intentionally and materially falsified compliance documentation to SLED in the ICR may not receive Local Government Fund appropriations for a minimum of three consecutive fiscal budget years, and must be subject to SLED oversight for the purpose of ensuring compliance with immigration related statutes.

**State Law Enforcement Division.** This bill will require the agency to hire an Administrative Compliance Coordinator to assist in the development, compilation, and collection of compliance criteria for the ICR. The salary and fringe amounts for the position will be \$66,455, and the position will incur an additional \$7,000 per year in operating costs (office supplies, telephone charges, and miscellaneous travel). The agency will also incur \$3,000 in one-time costs for computer equipment and office furniture. Therefore, the bill will have a recurring expenditure impact on the General Fund of \$73,455 beginning in FY 2019-20, and it will have a non-recurring expenditure impact on the General Fund of \$3,000 for FY 2019-20 only.

**State Revenue**

N/A

**Local Expenditure**

The Revenue and Fiscal Affairs Office contacted twenty-three county governments and the South Carolina Municipal Association (MASC) regarding the expenditure impact of the bill. Due to the limited number of responses from the surveyed counties, our office is not able to determine the expenditure impact of this bill on local governments.

**Local Revenue**

N/A



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Frank A. Rainwater, Executive Director