



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: S. 0173 Amended by the Senate on March 16, 2017
Author: Sheheen
Subject: Law Enforcement Training Council New Definitions
Requestor: Senate Judiciary
RFA Analyst(s): Gardner and Heineman
Impact Date: April 19, 2017 - Updated for Additional Agency Response

Estimate of Fiscal Impact

| | FY 2017-18 | FY 2018-19 |
|----------------------------------|-------------------|-------------------|
| 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 as amended is not expected to have an expenditure impact on the General Fund, Other Funds, or Federal Funds. The expenditure impact on local government is expected to be minimal if any.

Explanation of Fiscal Impact

Amended by the Senate on March 16, 2017

Updated for Additional Agency Response

State Expenditure

This bill as amended requires a law enforcement officer who is Class 1-LE, Class 2-LCO, or Class 3-SLE certified to complete Continuing Law Enforcement Education Credits (CLEEC) in mental health or addictive disorders over a three-year recertification period. The number of required annual CLEEC hours in mental health or addictive disorders shall be determined by the Law Enforcement Training Council, but must be included in the forty CLEEC hours required over the three-year recertification period. Such training must be provided or approved by the Criminal Justice Academy.

Class 1-LE law enforcement officers are officers with full arrest powers, such as Highway Patrol officers and local police patrolmen. Class 2-LCO law enforcement officers are local detention facility officers. Currently, for recertification, both are required to complete 40 hours of CLEEC over a three-year period, including a one-hour legal update and one hour on criminal domestic violence each year of the three-year period. Class 3-SLE law enforcement officers have limited powers of arrest or special duties and include desk officers and administration and those who

provide animal control, airport security, litter control, court room security, prisoner transportation, and traffic control at events. These officers receive basic training relevant to performance of limited powers of arrest or special duties and currently are required to complete one legal update each year for recertification.

Law Enforcement Training Council. This bill as amended charges the department with providing or approving the mental health or addictive disorders training. The agency plans to create an uploadable video to fulfill this responsibility, which the agency is able to accomplish with existing staff and appropriations. As such, the bill is not expected to impact expenditures for the council.

Law Enforcement Agencies. This bill as amended will not have an expenditure impact for Class 1-LE officers, because the new mental health and addictive disorders training would be incorporated within the existing 40 hours of required training and delivered by uploadable video. Class 3-SLE officers are currently required to complete less training for recertification, but state agencies have not reported any potential expenditure impact for them, or indicated they do not employ any Class 3-SLE officers. The following agencies indicated this amended bill will not have an expenditure impact: the Department of Public Safety, Department of Natural Resources, Department of Juvenile Justice, Department of Corrections, South Carolina Law Enforcement Division, and Board of Probation, Parole and Pardon Services. Therefore, this bill as amended will have no expenditure impact on the General Fund, Other Funds, or Federal Funds.

State Revenue

N/A

Local Expenditure

The Revenue and Fiscal Affairs Office (RFA) contacted twenty-three county governments and the Municipal Association of South Carolina regarding the expenditure impact of the amendment to this bill. Florence County indicates there would be a minimal expenditure impact watching training videos online the way officers currently receive some training through the Technical Assistance Training Council Center. Lancaster County indicated incorporating the training within the currently required 40 hours of recertification training would not have an expenditure impact. Although few responses were received, the Revenue and Fiscal Affairs Office expects the bill will have minimal if any impact on local government expenditures.

Local Revenue

N/A

Amended by Senate Judiciary on March 7, 2017

State Expenditure

This bill as amended requires that a law enforcement officer who is Class 1-LE, Class 2-LCO, or Class 3-SLE certified must complete Continuing Law Enforcement Education Credits (CLEEC) in mental health or addictive disorders over a three-year recertification period. The number of required annual CLEEC hours in mental health or addictive disorders shall be determined by the Law Enforcement Training Council, but must be included in the forty CLEEC hours required

over the three-year recertification period. Such training must be provided or approved by the Criminal Justice Academy.

Class 1-LE law enforcement officers are officers with full arrest powers, such as Highway Patrol officers and local police patrolmen. Class 2-LCO law enforcement officers are local detention facility officers. Currently, for recertification, both are required to complete 40 hours of CLEEC over a three-year period, including a one-hour legal update and one hour on criminal domestic violence each year of the three-year period. Class 3-SLE law enforcement officers have limited powers of arrest or special duties and include desk and administration and those who provide animal control, airport security, litter control, court room security, prisoner transportation, and traffic control at events. These officers receive basic training relevant to performance of limited powers of arrest or special duties and currently are required to complete one legal update each year for recertification.

Law Enforcement Training Council. This bill as amended charges the department with providing or approving the mental health or addictive disorders training. The agency plans to create an uploadable video to fulfill this responsibility, which the agency is able to accomplish with existing staff and appropriations. As such, the bill is not expected to impact expenditures for the department.

Department of Corrections. The expenditure impact is pending, contingent upon a response from the agency.

Department of Juvenile Justice. The expenditure impact is pending, contingent upon a response from the agency.

Department of Public Safety. The expenditure impact is pending, contingent upon a response from the agency.

South Carolina Law Enforcement Division. The expenditure impact is pending, contingent upon a response from the agency.

Department of Natural Resources. The expenditure impact is pending, contingent upon a response from the agency.

State Revenue

N/A

Local Expenditure

The expenditure impact is pending, contingent upon a response from local law enforcement.

Local Revenue

N/A

Introduced on January 10, 2017

State Expenditure

This bill, which relates to the Law Enforcement Training Council (LETC) and the Criminal Justice Academy, adds new definitions related to local crisis intervention teams and requires a Class 1-LE law enforcement officer to complete Continuing Law Enforcement Education Credits (CLEEC) in mental health or addictive disorders each year of a three-year recertification period. Such training must be provided or approved by the academy and the South Carolina Technical Assistance Center Council (TACC). The TACC will be established and maintained by the LETC in conjunction with the Department of Mental Health and the mental health courts. The TACC will consist of the eleven members serving as the LETC and three other members who are to be appointed by the LETC. Newly appointed members will begin serving on January 1, 2018. One of the three appointed members must be a consumer representative who has experienced a mental health or addiction disorder, and the other two appointed members must have at least ten years of experience in psychology, psychiatry, sociology, or social work. TACC members will not receive compensation for their service on the council.

The duties of the TACC will include identification of grants or monies that can be used to fund local law enforcement, local crisis intervention teams, and evaluation of crisis intervention team training; creation of a Statewide Crisis Intervention Team Advisory Committee; assisting rural counties in creating crisis intervention teams and team training; and providing each crisis intervention team with appropriate training, information, and technical assistance. Additionally, the bill requires every county sheriff's department in the state to have at least one crisis intervention team.

Judicial Department. This bill authorizes the Law Enforcement Training Council to establish and maintain a crisis intervention training center and to govern and supervise crisis intervention team training. The department estimates the implementation of this bill will have no expenditure impact to the General Fund, Other Funds, or Federal Funds.

Law Enforcement Training Council. This bill charges the department with additional responsibilities that the agency is able to accomplish with existing staff and appropriations. As such, the bill is not expected to impact expenditures for the department.

Department of Mental Health. The department indicates this bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds. The agency will provide training and support as needed to each county's crisis intervention team, as well as the Technical Assistance Center Council and the Statewide Crisis Intervention Team Advisory Committee. The department can accomplish these duties and responsibilities with their current resources.

State Revenue

N/A

Local Expenditure

The Revenue and Fiscal Affairs Office (RFA) contacted twenty-three county governments and the Municipal Association of South Carolina regarding the expenditure impact of this bill. In regard to the required training in crisis intervention for officers, Charleston County indicates that

expenses will depend on how the required trainings are implemented by the South Carolina Technical Assistance Center Council (TACC). If the trainings are only held in Columbia, South Carolina, then travel expenses will be incurred to attend the training. However, if trainings are given virtually or if the TACC approves trainings that are given by a third party, then there would be no impact since the trainings could be attended locally. Charleston County currently requires deputies to attend a course offered by the National Alliance for Mental Illness that is free of charge. Lancaster County responded that they do not see an expenditure impact for attending trainings since the training may take the place of other currently required continuing education training.

Additionally the bill requires all counties establish at least one crisis intervention team through the sheriff's department. Charleston's response did not address the creation of local crisis intervention teams (LCITs). Lancaster County responded that the implementation of LCITs may impact expenditures but are unable to provide an estimated cost to implementing the LCITs. Based upon the limited responses received and lack of data, the expenditure impact for local governments is undetermined.

Local Revenue

N/A



Frank A. Rainwater, Executive Director