



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: H. 3529 Amended by the House of Representatives on February 7, 2018
Author: Bedingfield
Subject: Auxiliary Containers
Requestor: Senate Labor, Commerce, and Industry
RFA Analyst(s): Heineman
Impact Date: March 5, 2018

Estimate of Fiscal Impact

	FY 2018-19	FY 2019-20
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 will have no local impact because the bill does not apply to auxiliary container regulations adopted before January 31, 2018. There were only two municipalities that had adopted an auxiliary container ban prior to January 31, 2018. These two localities indicated that the bill would have no fiscal impact on their operations.

Explanation of Fiscal Impact

Amended by the House of Representatives on February 7, 2018

State Expenditure

N/A

State Revenue

N/A

Local Expenditure

This bill defines an auxiliary container as a bag, cup, package, container, bottle, or other packaging that is designed to consume or transport food or beverage from a food service or retail facility. This bill restricts enacting laws and regulations regarding the use, sale, or taxation of auxiliary containers to the General Assembly. Any county or municipality that has ordinances or regulations pertaining to the use, sale, or taxation of auxiliary containers is superseded by this bill. The provisions of this bill do not apply to the use of auxiliary containers within the boundaries of state parks, coastal tidelands, wetlands, or public beaches maintained by any county or municipality.

The provisions of this bill do not apply to auxiliary container regulations adopted before January 31, 2018, including regulations with a delayed implementation date or that are conditioned on future municipal action. A municipality located within a county that has adopted an ordinance before January 31, 2018, may pass the same or similar ordinance as the county within which it is located.

The Revenue and Fiscal Affairs Office contacted forty-six counties and the Municipal Association of South Carolina (MASC) regarding the expenditure impact of this bill. Charleston, Clarendon, Fairfield, Florence, Greenville, Hampton, Horry, Lancaster, and Pickens counties all indicated there will be no expenditure impact since they do not have auxiliary container ban ordinances in their localities. On the municipal level, the Isle of Palms banned businesses from offering auxiliary containers in 2015 and Folly Beach did the same in 2016. In each case, there was no expected cost associated with enforcing the ban. Additionally, this bill would not affect their auxiliary container bans because their ordinances went into effect prior to January 31, 2018. The MASC indicated they do not expect an expenditure impact from this bill for all other municipalities.

Local Revenue

N/A



Frank A. Rainwater, Executive Director