



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
 (803)734-0640 • RFA.SC.GOV/IMPACTS

Bill Number: S. 0176 Signed by Governor on May 17, 2018
Author: Sheheen
Subject: Aerial Vehicle
Requestor: Senate
RFA Analyst(s): Gardner
Impact Date: June 27, 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	Undetermined	\$0
Other and Federal	Undetermined	\$0
Local Expenditure	Undetermined	\$0
Local Revenue	Undetermined	\$0

Fiscal Impact Summary

This bill will have no expenditure impact on the General Fund, Federal Funds, or Other Funds for the Judicial Department, State Law Enforcement Division (SLED), and Department of Corrections (SCDC). SLED will use any confiscated aerial vehicle for lawful purposes, and any reporting by the Department of Corrections of any violation of airspace by unmanned aerial vehicles will be handled by the agency's existing law enforcement personnel.

The local expenditure impact of this bill on magistrate and municipal courts is undetermined because this bill creates a new offense and there is no data available to determine the number of additional hearings or trials that would be heard in these courts.

The local expenditure impact of this bill on detention facilities is undetermined because this bill creates a new offense and there is no data available to determine a change in law enforcement activity or detention in local facilities.

As this bill establishes a new offense, the revenue impact on the General Fund, Other Funds, and local revenue is undetermined.

Explanation of Fiscal Impact

Signed by Governor on May 17, 2018

State Expenditure

This bill prohibits the operation of an unmanned aerial vehicle within a horizontal distance of 500 feet or a vertical distance of 250 feet from any SCDC facility or any local detention facility

without written consent from the director of the facility. Any unmanned aerial vehicle confiscated shall be released to an innocent owner after the results of any legal proceedings are determined. If an innocent owner fails to recover the confiscated aerial vehicle within thirty days after notification of the release, the SCDC may use the unmanned aerial vehicle within the agency for any lawful purpose or destroy it. A person convicted of violating this provision is guilty of a misdemeanor offense and is subject to a fine of not more than five hundred dollars or imprisonment for no more than thirty days, or both.

Department of Corrections. While individuals convicted of this offense will be held in local detention centers or jails because the offense carries a possible sentence of less than thirty days, this bill prohibits an unmanned aerial vehicle from being released within a certain distance of an SCDC facility without prior consent. As such, SCDC will be required to report and enforce any violations of the provisions within this bill. Any enforcement of this bill by SCDC will be handled by the agency's existing law enforcement personnel and not result in additional expenditures.

State Law Enforcement Division. SLED will retain custody of any unmanned aerial vehicle confiscated from a person convicted of unlawful use of the vehicle near a corrections facility. SLED may subsequently use the vehicle for lawful purposes or order it to be destroyed. Any administrative duties required by this bill will be handled by the agency's existing personnel and not result in additional expenditures.

Judicial Department. The department indicates that the offenses in this bill will be handled in magistrate and municipal courts and is expected to increase the caseload within those courts. As such, this bill is not expected to have an expenditure impact on the Judicial Department.

State Revenue

The revenue impact on the General Fund and Other Funds is undetermined, because the bill creates a new misdemeanor and there is no historical data to estimate the amount of revenue that will be generated from these particular fines. Existing law distributes revenue generated as assessments and surcharges imposed on such convictions among the General Fund, specified state agencies and programs, and the local jurisdiction in which the judgment is rendered.

Local Expenditure

Detention Facilities. Individuals convicted of this offense will be held in local detention centers or jails because the offense carries a possible sentence of less than thirty days. Since the bill creates a new criminal offense, and there is no data available to project a change in law enforcement activity or detention in local facilities the expenditure impact of this bill on local detention facilities is undetermined.

Magistrate and Municipal Courts. The offense created by this bill will be handled in magistrates and municipal courts and is expected to increase the caseload within those courts. However, as this bill creates a new offense, there is no data available upon which to estimate the number of hearings or trials that may be initiated. As such, the expenditure impact of this bill on magistrate and municipal courts is undetermined.

Local Revenue

The revenue impact on local government is undetermined, because the bill creates a new misdemeanor and there is no historical data to estimate the amount of revenue that will be generated from these particular fines. However, existing law provides for the retention of part or all of the revenue generated from fines, assessments, and surcharges by the local jurisdiction processing the case.



Frank A. Rainwater, Executive Director