



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: S. 0176 Introduced on January 8, 2019
Author: Hembree
Subject: Death by Electrocution
Requestor: Senate Corrections and Penology
RFA Analyst(s): Gardner
Impact Date: January 15, 2019

Fiscal Impact Summary

The implementation of this bill will result in no expenditure impact on the General Fund, Other Funds, or Federal Funds.

Explanation of Fiscal Impact

Introduced on January 8, 2019

State Expenditure

Current law requires persons sentenced to the death penalty to be executed by lethal injection, if they waive their right to elect the method of execution. This bill requires electrocution to be the method, if a person waives the right of election. The bill adds that lethal injection must be available at the time of election, in order to be used as an execution method.

In addition, the bill states the execution must be administered by electrocution regardless of the method elected by the convicted person if: 1) the person waives their right of election as to the method of execution, 2) the means for lethal injection is unavailable at the time of election, or 3) lethal injection is found to be unconstitutional by an appellate court.

The department reports that the drugs used for lethal injection are no longer readily available; as such, the department cannot access pricing with which to generate an estimate of costs related to the administration of lethal injections. However, the department expects any cost savings associated with changing the administration of the death penalty from lethal injection to electrocution to be negligible. There have been no executions in South Carolina since 2011.

The South Carolina Department of Corrections indicates this bill will result in no expenditure impact on the General Fund, Other Funds, or Federal Funds.

State Revenue

N/A

Local Expenditure and Local Revenue

N/A

A handwritten signature in blue ink that reads "Frank A. Rainwater".

Frank A. Rainwater, Executive Director