



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: S. 0959 Signed by Governor on May 17, 2018
Author: Corbin
Subject: Graffiti Vandalism
Requestor: Senate
RFA Analyst(s): Gardner
Impact Date: July 10, 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	Undetermined	\$0

Fiscal Impact Summary

This bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds for the Judicial Department, as the number of cases heard for misdemeanor acts of graffiti vandalism is expected to remain consistent with prior fiscal years. The bill will also have no expenditure impact on the General Fund, Other Funds, or Federal Funds for the Commission on Indigent Defense or the Commission on Prosecution Coordination, as the number of individuals charged with a first offense of graffiti vandalism pursuant to the bill are expected to remain consistent with the number of cases heard under the previous law. The bill is expected to have no expenditure impact on the General Fund, Other Funds, or Federal Funds for the Department of Corrections, as the sentencing for first offenses is limited to a prison term of less than ninety days.

This bill will have no expenditure impact on magistrates and municipal courts since first offense graffiti vandalism charges are currently and will continue to be heard in magistrates and municipal courts. However, because the bill reduces the possible jail time for first time offenders from thirty to ninety days to no more than thirty days, it may result in a cost savings for local detention facilities.

Explanation of Fiscal Impact

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State Expenditure

This bill changes the penalty structure for first offense convictions for misdemeanor acts of graffiti vandalism. The bill, which maintains the existing fine of not more than \$1,000 for a first

offense conviction, changes the prison sentence for first offense convictions from not less than thirty days nor more than ninety days to not more than thirty days.

Judicial Department. In FY 2016-17, eighteen first offense violations were heard in general sessions courts. The department expects the number of cases to be heard in general sessions courts to remain consistent with the number of cases heard in FY 2016-17; therefore, no expenditure impact is anticipated on the General Fund, Other Funds, or Federal Funds of the department.

Commission on Prosecution Coordination. Since the number of individuals charged with a first offense for graffiti vandalism pursuant to the bill are expected to remain consistent with the number of cases heard under previous law, the bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds of the commission.

Commission on Indigent Defense. Since the number of individuals charged with a first offense for graffiti vandalism pursuant to the bill are expected to remain consistent with the number of cases heard under previous law, the bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds of the commission.

Department of Corrections. As the sentencing for first offense convictions for misdemeanor acts of graffiti vandalism is limited to a prison term of less than ninety days, the bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds of the department.

State Revenue

N/A

Local Expenditure

Magistrate and Municipal Courts. First offense graffiti vandalism charges are currently and will continue to be heard in magistrates and municipal courts. In FY 2016-17 twenty-two first offense violations were heard in magistrates or municipal courts. As such, no expenditure impact is anticipated.

Local Revenue

Detention Facilities. As the penalty structure for first offense graffiti vandalism convictions has reduced the possible jail time from thirty to ninety days to no more than thirty days, there is the potential for costs savings since the offenders will be incarcerated for a shorter period of time. However, due to the lack of existing data on the length of prison stays for prior first offenders, the potential cost savings is undetermined.



Frank A. Rainwater, Executive Director