



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: H. 3278 Amended by the House of Representatives on February 22, 2017
Author: Rutherford
Subject: Detention Facilities
Requestor: Senate Corrections and Penology
RFA Analyst(s): Heineman and Gardner
Impact Date: March 27, 2017

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	Undetermined	\$0
Local Revenue	\$0	\$0

Fiscal Impact Summary

This bill as amended by the House will have no expenditure impact on the General Fund, Federal Funds, or Other Funds. Due to the limited number of responses from counties and municipalities surveyed, our office is not able to determine the expenditure impact of this bill on county or municipal governments.

Explanation of Fiscal Impact

Amended by House on February 22, 2017

State Expenditure

This bill as amended by the House adds a definition for an in-person meeting between an inmate and legal counsel as one that occurs when they are placed in the same room or general area with no continuous partition. Additionally, the state, county, or municipal detention facility may provide general visual observation of the area in which the in-person meeting occurs, but shall not provide audio or video supervision of the area so as to uphold the privileged nature of the inmate's communications with legal counsel. Further, state, county, or municipal detention facilities shall make a reasonable effort to accommodate in-person meetings without prohibition, provided the meeting does not jeopardize the security of the detention facility or prohibit the normal operations of the detention facility.

This bill will not materially alter the day to day operations of the prison system. Therefore, the bill does not have an expenditure impact on the General Fund, Federal Funds, or Other Funds.

Department of Corrections. The department reports that the implementation of this bill will have no expenditure impact to the General Fund, Federal Funds, or Other Funds.

Department of Juvenile Justice. The department reports that the implementation of this bill will have no expenditure impact to the General Fund, Federal Funds, or Other Funds.

State Revenue

N/A

Local Expenditure

The Revenue and Fiscal Affairs Office contacted twenty-three county governments and the South Carolina Municipal Association (MASC) regarding the expenditure impact of the bill. Dorchester county and MASC responded. Dorchester reported they currently have an interview room for inmates and legal counsel and observe the meeting from outside the room. Therefore, there will be no impact. The MASC reported there would be no impact. We anticipate this bill will have no impact on current operations of the prison system. However, due to the limited number of responses from counties surveyed, our office is not able to determine the expenditure impact of this bill on local governments.

Local Revenue

N/A

Amended by House Judiciary on February 7, 2017

State Expenditure

House Bill 3278 amends the State Prison System code to prevent banning of in-person meetings between an inmate and his/her attorney at any state, county, or municipal detention facility unless the meeting may jeopardize the security of the detention facility or prohibit its normal operations. This bill will not materially alter the day to day operations of the prison system. Therefore, the bill does not have an expenditure impact on the General Fund, Federal Funds, or Other Funds.

Department of Corrections. The department reports that the implementation of this bill will have no expenditure impact to the General Fund, Federal Funds, or Other Funds.

Department of Juvenile Justice. The department reports that the implementation of this bill will have no expenditure impact to the General Fund, Federal Funds, or Other Funds.

State Revenue

N/A

Local Expenditure

The Revenue and Fiscal Affairs Office contacted twenty-three county governments and the South Carolina Municipal Association regarding the expenditure impact of the bill. One county and one municipality responded. One reported no impact and the other reported minimal impact. We anticipate this bill will have no impact on current operations of the prison system. However, due to the limited number of responses from counties surveyed, our office is not able to determine the expenditure impact of this bill on local governments.

Local Revenue

N/A

A handwritten signature in blue ink, reading "Frank A. Rainwater". The signature is fluid and cursive, with a long horizontal stroke at the end.

Frank A. Rainwater, Executive Director