



**SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE**  
**STATEMENT OF ESTIMATED FISCAL IMPACT**  
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*This fiscal impact statement is produced in compliance with the South Carolina Code of Laws and House and Senate rules. The focus of the analysis is on governmental expenditure and revenue impacts and may not provide a comprehensive summary of the legislation.*

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<b>Bill Number:</b>	H. 4825	Introduced on January 10, 2024
<b>Author:</b>	Hewitt	
<b>Subject:</b>	Kidnapping Luring	
<b>Requestor:</b>	House Judiciary	
<b>RFA Analyst(s):</b>	Gardner	
<b>Impact Date:</b>	January 18, 2024	

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### **Fiscal Impact Summary**

This bill adds the act of luring a person to the offenses involving kidnapping, creates an enhanced penalty for kidnapping and related acts if the victim is a minor, and provides that attempting to commit kidnapping or related acts are punishable as for the principal offenses.

Judicial reports that implementation of the bill may result in an increase in general sessions court caseloads, which can be managed using existing staff and appropriations. Therefore, the bill will result in no expenditure impact for Judicial. Also, the Commission on Prosecution Coordination and Commission on Indigent Defense may increase the workload of the agencies. Both agencies anticipate being able to manage the increase with existing staff and within existing appropriations. However, if this bill results in a significant increase in the workload, the agencies will request an increase in General Fund appropriations.

This bill may result in an increase in the number of inmates housed by the Department of Corrections. No data are available to estimate the increase in the number of inmates that may be housed by Corrections. According to Corrections, in FY 2022-23, the annual total cost per inmate was \$37,758, of which \$34,570 was state funded. If this bill results in an increase in incarcerations, Corrections will request an increase in General Fund Appropriations.

### **Explanation of Fiscal Impact**

#### **Introduced on January 10, 2024**

#### **State Expenditure**

This bill amends provisions related to offenses involving kidnapping to include the act of luring and to creates an enhanced penalty for a person convicted of kidnapping a minor. The enhanced penalty increases a defendant's term of imprisonment by an additional five years. The bill also provides that a person convicted of attempting to unlawfully seize, confine, inveigle, lure, decoy, kidnap, abduct, or carry away another person is guilty of a felony punishable by a term of imprisonment for not more than 30 years, in addition to the term of imprisonment for five years if the victim is a minor.

**Judicial.** Judicial reports that implementation of the bill may result in an increase in general sessions court caseloads, which can be managed using existing staff and appropriations. Therefore, the bill will result in no expenditure impact for Judicial.

**Commission on Prosecution Coordination.** This bill adds luring to the offense of kidnapping which could result in an increase in the number of cases handled by state prosecutors. The agency indicates that if this bill results in a significant increase in the workload, the agency will request an increase in General Fund appropriations.

**Commission on Indigent Defense.** This bill adds luring to the offense of kidnapping which could result in an increase in the number of cases handled by the indigent defense attorneys. The agency indicates that if this bill results in a significant increase in the workload, the agency will request an increase in General Fund appropriations.

**Department of Corrections.** This bill may result in an increase in the number of inmates housed by the Department of Corrections. However, no data are available to estimate the increase in the number of inmates that may be housed by Corrections. According to Corrections, in FY 2022-23, the annual total cost per inmate was \$37,758, of which \$34,570 was state funded. However, as the potential increase in incarcerations is unknown, any expenditure impact for Corrections is undetermined. Corrections indicates that if this bill results in a significant increase in the inmate population, the agency will request an increase in General Fund appropriations.

**State Revenue**

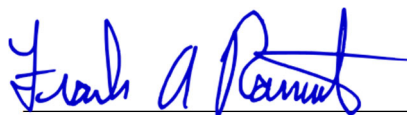
N/A

**Local Expenditure**

N/A

**Local Revenue**

N/A



Frank A. Rainwater, Executive Director