



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: S. 0430 Introduced on February 16, 2017
Author: Senn
Subject: Transfer a Firearm or Ammunition
Requestor: Senate Judiciary
RFA Analyst(s): Gardner
Impact Date: April 20, 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	\$0	\$0
Local Revenue	\$0	\$0

Fiscal Impact Summary

The implementation of this bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds and is not expected to have a significant impact on state revenue. The bill is not expected to have a significant expenditure or revenue impact on local government.

Explanation of Fiscal Impact

Introduced on February 16, 2017

State Expenditure

This bill establishes new criminal offenses relating to efforts to obtain a firearm or ammunition when the transfer would be illegal. A person who knowingly solicits, persuades, encourages, or entices a dealer or seller of firearms or ammunition to transfer a firearm or ammunition under circumstances that the person knows would violate state or federal law is guilty of a misdemeanor and must be fined not more than \$3,000, or imprisoned for not more than three years, or both. A person who intends to deceive a dealer or seller of firearms or ammunition about the legality of a transfer of a firearm or ammunition by providing information that the person knows to be materially false is guilty of a misdemeanor and must be fined not more than \$3,000, or imprisoned for not more than three years, or both. A person who willfully procures another person to engage in conduct prohibited by these provisions will be held accountable as a principal. These provisions do not apply to a law enforcement officer acting in his official capacity or to a person acting at the direction of a law enforcement officer.

Commission on Prosecution Coordination. The commission indicates there is no method by which to estimate the number of new cases that may be tried due to the bill's creation of new

crimes. However, the commission expects solicitors to manage any additional costs associated with an increase in cases within current resources.

Commission on Indigent Defense. The implementation of this bill will have no expenditure impact to the General Fund, Other Funds, or Federal Funds, as the commission expects public defenders and the commission to manage any increase in caseloads within current resources.

Judicial Department. This bill makes it an offense for a person to knowingly solicit, persuade, encourage, or entice a dealer or seller of firearms or ammunition to transfer a firearm or ammunition under circumstances the person knows would violate state or federal law. As the bill creates a new offense, the department anticipates that additional hearings and trials may be held in general sessions court. This may lead to a backlog for the circuit court as a whole. While there is no data available to indicate the number of additional hearings or trials which may result, the department expects to manage any additional costs from increased caseloads within current resources.

Department of Corrections. This bill creates new criminal offenses for which a person may be imprisoned up to three years. As there is no existing data on the patterns of arrest, conviction, or sentencing for the offenses, the department cannot determine the expenditure impact of the bill. However, the department does not expect the bill to significantly increase the prison population.

State Revenue

The bill creates new misdemeanor and felony offenses punishable by fine, imprisonment, or both. Existing law distributes revenue generated from fines, assessments on fines and surcharges on convictions among the General Fund, specific state agencies and programs, and local government. Because this bill creates new crimes for which there is no data to estimate the number of convictions or fines that may be imposed, the revenue impact of this bill on the General Fund or Other Funds cannot be quantified. However, the state's share of any such revenue is not expected to be significant.

Local Expenditure

The bill creates new misdemeanor and felony offenses. Although the number of offences that may occur are unknown, the number is not expected to significantly increase local law enforcement activity. Therefore, the Revenue and Fiscal Affairs Office does not anticipate this bill will have a significant expenditure impact on local government.

Local Revenue

The bill creates new misdemeanor and felony offenses punishable by fine, imprisonment, or both. Existing law distributes revenue generated from fines, assessments on fines and surcharges on convictions among the General Fund, specific state agencies and programs, and local government. Because this bill creates new crimes for which there is no data to estimate the number of convictions or fines that may be imposed, the revenue impact of this bill on local governments cannot be quantified. However, local government share of any such revenue is not expected to be significant.



Frank A. Rainwater, Executive Director