



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: S. 0294
 Author: Alexander
 Requestor: Senate Judiciary
 Date: March 2, 2015
 Subject: Possession With Intent to Distribute a Prescription Drug
 RFA Analyst(s): Gardner and Shealy

Estimate of Fiscal Impact

| | FY 2015-16 | FY 2016-17 |
|----------------------------------|-------------------|-------------------|
| State Expenditure | | |
| General Fund | | N/A |
| Other and Federal | \$0 | N/A |
| Full-Time Equivalent Position(s) | 0.00 | 0.00 |
| State Revenue | | |
| General Fund | N/A | N/A |
| Other and Federal | N/A | N/A |
| Local Expenditure | N/A | N/A |
| Local Revenue | N/A | N/A |

Fiscal Impact Summary

The Department of Corrections indicated this bill is expected to significantly impact state expenditures. The Judicial Department has estimated that this bill will have a minimal impact, which the agency can absorb at their current level of funding.

Explanation of Fiscal Impact

State Expenditure

This bill adds Section 44-53-80 which subjects persons who illegally and knowingly possess (or possess with the intent to distribute) a prescription drug to the provisions of the controlled substances law and establishes penalties for such violations. It also provides for the establishment of prima facie evidence of a person's intent to traffic in prescription drugs when that person possesses multiple prescriptions for the same drug.

Department of Corrections. The agency reports that this bill will have a cost to the General Fund. Section 44-53-80 creates additional offenses and provides substantial penalties for persons who are convicted of trafficking prescription drugs. The agency also reports that the lack of empirical data relating to the prevalence of the crimes and patterns of arrest, convictions, and sentencing prevents them from indicating the precise fiscal impact.

Judicial Department. The Judicial Department expects this bill to have a minimal impact on their General Funds. There will be some additional costs but they can be absorbed by the agency. There will be no impact on Federal Funds or Other Funds. The agency reports that

there is no data available which would allow them to determine how many additional charges would be brought as a result of the new offense. However, if any additional hearings or trials would be held in General Sessions courts as a result of this legislation, the agency anticipates the cost would be absorbed at the current funding level.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A


Frank A. Rainwater, Executive Director