



# 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. 4836	Introduced on January 20, 2022
<b>Author:</b>	Morgan	
<b>Subject:</b>	Duties and Powers of the Department of Public Safety	
<b>Requestor:</b>	House Judiciary	
<b>RFA Analyst(s):</b>	Gardner	
<b>Impact Date:</b>	February 8, 2022	

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### Fiscal Impact Summary

This bill eliminates a number of provisions related to the powers and duties of the Department of Public Safety (DPS), including the DPS audit completion date deadline and the authorization of DPS to receive, retain, and expend revenue generated from the sale of the DPS training series. The bill also allows DPS to expend certain funds for drug testing, use restricted funds for expenditures incurred in a prior fiscal year, and increase witness fees for the testimony of certain troopers.

This bill will have no expenditure impact for DPS, as any additional responsibilities can be managed within the normal scope of business for the department.

This bill may increase witness fee billing by approximately 34%, which would equate to an additional Other Funds revenue of \$2,000 beginning in FY 2022-23, dependent upon how much of the fee DPS is able to collect.

### Explanation of Fiscal Impact

#### Introduced on January 20, 2022

##### State Expenditure

This bill limits the comprehensive law enforcement training programs for DPS law enforcement officers only. The bill also eliminates the requirement that the director of DPS ensure that annual agency audit reports are completed by a specified date. In addition, the bill enables DPS to expend certain funds for drug testing and authorizes the agency to expend restricted funds in a subsequent fiscal year for expenditures incurred in the prior fiscal year. Further, the bill increases the hourly and daily witness fees that may be charged for the testimony of certain troopers.

This bill authorizes DPS to expend certain funds for drug testing, use restricted funds for expenditures incurred in a prior fiscal year, and increase witness fees for the testimony of certain troopers. As these activities do not fall outside the scope of the agency's normal operations, the bill will have no expenditure impact.

Also, this bill eliminates the Department of Motor Vehicles' (DMV) authorization to carry forward certain registration fees into FY 1999-2000. As this carryforward has already occurred, RFA anticipates this bill will have no impact for DMV.

### **State Revenue**

This bill increases the hourly witness fee of \$130 per hour to \$175 per hour, and the daily witness fee will increase from \$1,000 per day to \$1,200 per day. The bill also authorizes DPS to increase witness fees each year due to inflation.

In FY 2020-21, DPS billed a total of \$5,590 for witness fees, but only \$3,445 of that amount was collected as revenue. DPS indicates that implementation of the bill could increase witness fee billing by approximately 34%, which would equate to an additional Other Fund revenue of \$2,000 beginning in FY 2022-23, if collected.

The bill also eliminates the authorization of DPS to receive, retain, or expend revenue generated from the sale of the agency's training series. As DPS has received no revenue from such sales, the agency will experience no loss of funds.

### **Local Expenditure**

N/A

### **Local Revenue**

N/A



Frank A. Rainwater, Executive Director