



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.

Bill Number: S. 0929 Introduced on December 7, 2021
Author: Shealy
Subject: Criminal Domestic Violence
Requestor: Senate Judiciary
RFA Analyst(s): Gardner
Impact Date: March 18, 2022

Fiscal Impact Summary

This bill allows the court to admit evidence of a previous act of criminal domestic violence in a case or proceeding in which the defendant is accused of such an act.

This bill will have no expenditure impact on Judicial, the Commission on Prosecution Coordination (CPC), or the Commission on Indigent Defense (CID). Judicial, CPC, and CID indicate that any expenses can be managed within existing General Fund appropriations.

Explanation of Fiscal Impact

Introduced on December 7, 2021

State Expenditure

This bill provides that in cases where a defendant is charged with an act of criminal domestic violence the court may admit evidence that a defendant previously committed such an act. This provision does not preclude the court from admitting or considering evidence pursuant to the South Carolina Rules of Evidence.

Judicial. This bill may delay the progression of general sessions, magistrate, and municipal court proceedings if additional evidence is admitted. Judicial indicates that the following number of cases were filed in general sessions in FY 2021-22:

GENERAL SESSIONS COURTS		
<i>CDR Code</i>	<i>Offense Description</i>	<i># of Filings</i>
3813	Domestic / Domestic Violence, 3rd degree	2,113
3811	Domestic / Domestic Violence, 1st degree	1,809
3814	Domestic / Domestic Violence of a high and aggravated nature	979
3812	Domestic / Domestic Violence, 2nd degree	5,078
3056	Domestic / Violation of court order of protection	98
TOTAL		10,077

However, Judicial reports this potential delay will have a minimal expenditure impact that can be absorbed using existing General Fund resources. Therefore, this bill will have no expenditure impact for Judicial.

Commission on Prosecution Coordination. As the bill will not require the commission to perform duties outside of the scope of normal business operations, it will have no expenditure impact.

Commission on Indigent Defense. As the bill will not require the commission to perform duties outside of the scope of normal business operations, it will have no expenditure impact.

State Revenue

N/A

Local Expenditure

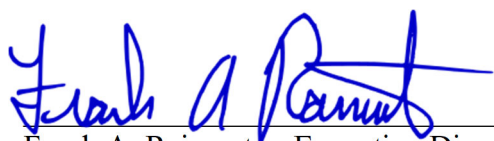
This bill may delay the progression of general sessions, magistrate, and municipal court proceedings if additional evidence is admitted. Judicial indicates that the following number of cases were filed in magistrates and municipal courts in FY 2021-22:

MAGISTRATE AND MUNICIPAL COURTS		
<i>CDR Code</i>	<i>Offense Description</i>	<i># of Filings</i>
3813	Domestic / Domestic Violence, 3rd degree	2,564
3811	Domestic / Domestic Violence, 1st degree	33
3814	Domestic / Domestic Violence of a high and aggravated nature	10
3812	Domestic / Domestic Violence, 2nd degree	70
3056	Domestic / Violation of court order of protection	291
TOTAL		2,968

Revenue and Fiscal Affairs anticipates that any delay in court proceedings in magistrates and municipal courts will have a minimal impact to the courts and can be managed within existing funds. Therefore, this bill will have no local expenditure impact.

Local Revenue

N/A


Frank A. Rainwater, Executive Director