



# 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. 4265	Introduced on March 27, 2025
<b>Subject:</b>	Penalties for Fires on Certain Lands	
<b>Requestor:</b>	House Judiciary	
<b>RFA Analyst(s):</b>	Gardner	
<b>Impact Date:</b>	April 15, 2025	

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### Fiscal Impact Summary

This bill increases the penalties and potential terms of imprisonment for persons convicted of unlawfully starting fires on certain lands.

Judicial, the Commission on Prosecution Coordination, and the Commission on Indigent Defense each indicate this bill will have no expenditure impact as it does not create a new cause of action. Also, the South Carolina Department of Probation, Parole and Pardon Services (PPP) anticipates being able to manage any additional responsibilities due to this bill within existing appropriations. The South Carolina Department of Corrections (Corrections) indicates this bill may increase the number of inmates. According to Corrections, in FY 2023-24, the annual total cost per inmate was \$40,429, of which \$36,553 was state funded. If this bill results in a significant increase in inmate population, Corrections will request an increase in General Fund appropriations.

Revenue and Fiscal Affairs (RFA) contacted all counties and the Municipal Association of South Carolina (MASC) to determine this potential local impact of this bill. All responding counties and MASC reported that the bill will have no impact. Based on these responses, RFA anticipates there will be no local expenditure impact due to this bill.

This bill may result in a change in the fines and fees collected in court. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, RFA anticipates this bill may result in a change to General Fund, Other Funds, and local revenue due to the change in fines and fees collections in court.

### Explanation of Fiscal Impact

#### Introduced on March 27, 2025

#### State Expenditure

This bill increases the penalties and potential terms of imprisonment for persons convicted of unlawfully starting fires on certain lands. Changes to the penalty schedule are as follows:

**SECTION 48-35-60**

<i>Current Penalty Schedule</i>	<i>New Penalty Schedule</i>
<b>First Offense</b>	<b>First Offense</b>
Fine of ≤\$200 or imprisonment for ≤30 days	Fine of ≥\$1,000 but ≤\$5,000, imprisonment for ≤1 year, or both
<b>Second or Subsequent Offense</b>	<b>Second or Subsequent Offense</b>
Fine of ≥\$500 or imprisonment for ≤60 days, or both	Fine of ≥\$2,000 but ≤\$25,000, imprisonment for ≤3 years, or both

Judicial, the Commission on Prosecution Coordination, and the Commission on Indigent Defense each report that the bill will have no impact as it does not create new causes of action. For information, Judicial notes that for FY 2023-24 there were 54 first offense cases that were heard in summary court and no secondary or subsequent offenses were disposed of in general sessions court. Additionally, PPP anticipates any additional responsibilities due to this bill can be managed within existing appropriations. Corrections indicates this bill may increase the number of inmates. According to Corrections, in FY 2023-24, the annual total cost per inmate was \$40,429, of which \$36,553 was state funded. If this bill results in a significant increase in inmate population, Corrections will request an increase in General Fund appropriations.

**State Revenue**

This bill may result in a change in the fines and fees collected in court due to the increase in fines. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, RFA anticipates this bill may result in a change to General Fund and Other Funds revenue due to the change in fines and fees collections in court.

**Local Expenditure**

RFA surveyed the counties and MASC as to any fiscal impact that may result from passage of the bill. Florence County, Oconee County, Richland County, and MASC report that the bill will have no impact. Based on these responses, RFA anticipates there will be no local expenditure impact due to this bill.

**Local Revenue**

This bill may result in a change in the fines and fees collected in court due to the increase in fines. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, RFA anticipates this bill may result in a change to local revenue due to the change in fines and fees collections in court.



Frank A. Rainwater, Executive Director