



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. 0156	Introduced on January 14, 2025
Subject:	Fentanyl Induced Homicide	
Requestor:	Senate Judiciary	
RFA Analyst(s):	Gardner	
Impact Date:	January 28, 2025	

Fiscal Impact Summary

This bill creates a new felony offense for fentanyl-induced homicide, establishes an associated penalty, and establishes that it is not a defense that a decedent contributed to his own death through his ingestion of fentanyl or a fentanyl-related substance or his consenting to the administration of fentanyl or a fentanyl-related substance by another person, unless there is clear and convincing evidence that the decedent intended to commit suicide.

This bill may result in an increase in the number of circuit court cases, and potentially the number of incarcerations, which may increase the workload of the court system and the Commission of Indigent Defense, the Commission on Prosecution Coordination, the Department of Corrections (Corrections), and Probation, Parole and Pardon Services (PPP). The potential increase in expenses for each agency will depend upon the increase in the number of cases and number of incarcerations. These agencies indicate that if this bill results in a significant increase in the workload, then an increase in General Fund appropriations may be requested. For information, according to Corrections, in FY 2023-24, the annual total cost per inmate was \$40,429, of which \$36,553 was state funded.

As this bill creates new offenses, this may result in an increase of General Fund, Other Funds, and local fine revenue. However, as the number of such offenses and the resulting fines and fees that might occur in a given year is unknown, the revenue impact is undetermined.

Explanation of Fiscal Impact

Introduced on January 14, 2025

State Expenditure

This bill creates a new felony offense for fentanyl-induced homicide, which is defined as the unlawful delivery, dispensation, or provision of fentanyl or a fentanyl related substance to another person who dies as a result of his injection, inhalation, absorption, or ingestion of such substance. A person convicted of this offense must be imprisoned for not more than thirty years. It is not a defense that a decedent contributed to his own death through his ingestion of fentanyl or a fentanyl-related substance or his consenting to the administration of fentanyl or fentanyl-related substance by another person, unless there is clear and convincing evidence that the decedent intended to commit suicide. Persons charged for these offenses may also be charged for other drug-related offenses, including assisted suicide.

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State Revenue

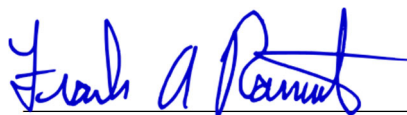
This bill may result in an increase in the fines and fees collected in court. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, the RFA anticipates this bill may result in an undetermined impact to General Fund and Other Funds revenue due to the increase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

Local Expenditure

N/A

Local Revenue

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Frank A. Rainwater, Executive Director