



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE

STATEMENT OF ESTIMATED FISCAL IMPACT

WWW.RFA.SC.GOV • (803)734-3793

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. 0208 Introduced on January 15, 2025
Subject: Felony Reckless Driving
Requestor: Senate Judiciary
RFA Analyst(s): Griffith
Impact Date: February 11, 2025

Fiscal Impact Summary

This bill increases the penalties for the felony offense of reckless vehicular homicide and changes the county in which a person may petition the circuit court for reinstatement of the person's driver's license from the county of the person's residence to the county of the person's conviction. The bill also creates the new offense of felony reckless driving, specifies the penalties of the new offense, and directs the Department of Motor Vehicles (DMV) to revoke for three years the driver's license of a person convicted of the new offense.

The bill charges DMV with additional responsibilities that the agency will accomplish with existing staff and resources. Therefore, there is no expenditure impact to DMV. However, DMV indicates that the complex coding changes to its IT system will require at least twelve months to implement and test.

As this bill creates a new felony offense and modifies an existing offense, the bill may impact the caseload and case progression in General Sessions court 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, and the Department of Probation, Parole and Pardon Services (PPP). Judicial anticipates that the potential impact of the caseload in court can be managed within existing appropriations. Additionally, 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.

This bill may result in an increase in the fines and fees collected by the court. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. The Revenue and Fiscal Affairs Office (RFA) anticipates this bill may result in an undetermined increase in local revenue if there is an increase in the collection of fines and fees by the court.

Explanation of Fiscal Impact

Introduced on January 15, 2025

State Expenditure

This bill increases the penalties for the felony offense of reckless vehicular homicide and changes the county in which a person may petition the circuit court for reinstatement of the person's driver's license from the county of the person's residence to the county of the person's conviction. The bill also creates the new offense of felony reckless driving, for which the convicted person must be fined not less than \$1,000 and not more than \$10,000, imprisoned not more than ten years, or both. DMV shall revoke for three years the driver's license of a person convicted of felony reckless driving.

The bill charges DMV with additional responsibilities that the agency will accomplish with existing staff and resources. Therefore, the bill will have no expenditure impact on DMV. However, DMV indicates that the complex coding changes to its IT system will require at least twelve months to implement and test.

As this bill creates a new felony offense and modifies an existing offense, the bill may impact the caseload and case progression in General Sessions court 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, and PPP. Judicial anticipates that the potential impact of the caseload in court can be managed within existing appropriations. Additionally, 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.

State Revenue

This bill may result in an increase in fines and fees collected by the court. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. RFA anticipates this bill may result in an undetermined increase in General Fund and Other Funds revenue if there is an increase in the collection of fines and fees by the court.

Local Expenditure

N/A

Local Revenue

This bill may result in an increase in the fines and fees collected by the court. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. RFA anticipates this bill may result in an undetermined increase in local revenue if there is an increase in the collection of fines and fees by the court.



Frank A. Rainwater, Executive Director