



# 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>	S. 0399	Introduced on February 27, 2025
<b>Subject:</b>	Public Transit Trespass	
<b>Requestor:</b>	Senate Judiciary	
<b>RFA Analyst(s):</b>	Griffith	
<b>Impact Date:</b>	March 27, 2025	

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### Fiscal Impact Summary

This bill specifies that a person who enters a transportation facility without legal cause or good excuse, after having been warned not to do so by the transit director, transit supervisor, or the designee of the transit director or transit supervisor, is guilty of a misdemeanor. Upon conviction, the person must be fined not more than \$200 or be imprisoned not more than thirty days. A violation is triable in the appropriate municipal or magistrates court with jurisdiction over the offense.

This bill may result in an increase in the caseload in municipal and magistrates courts. Judicial provides support to these courts. Judicial anticipates that the potential increase in caseload can be managed within existing appropriations. However, Judicial indicates that if this bill results in a significant increase in the workload, then an increase in General Fund appropriations may be requested.

The fiscal impact of the bill on the Department of Transportation (DOT) is pending, contingent upon a response from the agency.

The Revenue and Fiscal Affairs Office (RFA) surveyed all counties and the Municipal Association of South Carolina (MASC) to determine the fiscal impact of the bill on local governments. Florence County does not anticipate an expenditure impact to its offices. MASC reports that there are currently twenty-six public transit providers, five of which are municipally-operated systems, and that it anticipates minimal expenditures related to public transit providers updating their policies and procedures.

This bill may result in an increase in the number of municipal and magistrates court cases and potentially the number of incarcerations, which may increase the workload of the court system and local jails. The potential increase in expenses will depend upon the increase in the number of cases and number of incarcerations.

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 local revenue due to the change in fines and fees collections in court.

## **Explanation of Fiscal Impact**

**Introduced on February 27, 2025**

### **State Expenditure**

This bill specifies that a person who enters a transportation facility without legal cause or good excuse, after having been warned not to do so by the transit director, transit supervisor, or the designee of the transit director or transit supervisor, is guilty of a misdemeanor. Upon conviction, the person must be fined not more than \$200 or be imprisoned not more than thirty days. A violation is triable in the appropriate municipal or magistrates court with jurisdiction over the offense.

This bill may result in an increase in the caseload in municipal and magistrates courts. Judicial provides support to these courts. Judicial anticipates that the potential increase in caseload can be managed within existing appropriations. However, Judicial indicates that if this bill results in a significant increase in the workload, then an increase in General Fund appropriations may be requested.

The fiscal impact of the bill on DOT is pending, contingent upon a response from the agency.

### **State Revenue**

This bill specifies that a person who enters a transportation facility without legal cause or good excuse, after having been warned not to do so is guilty of a misdemeanor and upon conviction must be fined not more than \$200 or be imprisoned not more than thirty days. 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**

This bill creates the penalties for entering a transportation facility without legal cause or good excuse, after having been warned not to do so by the transit director, transit supervisor, or the designee of the transit director or transit supervisor.

RFA surveyed all counties and the MASC to determine the fiscal impact on local governments. Florence County indicates that it does not anticipate an expenditure impact to either the Florence County Clerk's Office or the Florence County Sheriff's Office. Additionally, MASC reports that there are currently twenty-six public transit providers, five of which are municipally-operated systems. These five public transit providers will need to update their policies and procedures to reflect the provisions of the bill. However, the MASC indicates that the costs will be minimal. Therefore, based on these responses, we anticipate that local governments can implement the provisions of the bill with existing resources.

This bill may result in an increase in the number of municipal and magistrates court cases and potentially the number of incarcerations, which may increase the workload of the court system and local jails. The potential increase in expenses will depend upon the increase in the number of cases and number of incarcerations.

### **Local Revenue**

This bill specifies that a person who enters a transportation facility without legal cause or good excuse, after having been warned not to do so is guilty of a misdemeanor and upon conviction must be fined not more than \$200 or be imprisoned not more than thirty days. 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 local revenue due to the change in fines and fees collections in court.



Frank A. Rainwater, Executive Director