



**SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE**  
**STATEMENT OF ESTIMATED FISCAL IMPACT**  
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**Bill Number:** H. 3973 Signed by Governor on May 16, 2019  
**Author:** Crawford  
**Subject:** Female Genital Mutilation  
**Requestor:** House of Representatives  
**RFA Analyst(s):** Gardner  
**Impact Date:** May 31, 2019

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### **Fiscal Impact Summary**

This bill prohibits genital mutilation of a female under the age of 18 years and adds female genital mutilation of a minor to the definition of child abuse or neglect.

The Judicial Department indicates that responsibilities required by this bill will be handled within their current resources and is not expected to have an expenditure impact on the department.

The Commission on Prosecution Coordination and Commission on Indigent Defense report that the implementation of this bill will have no expenditure impact to the General Fund, Other Funds, or Federal Funds.

The Department of Corrections indicates that the bill establishes a new offense which there is no historical data to estimate the number of offenders. However, any increase in caseloads can be managed within existing resources.

### **Explanation of Fiscal Impact**

#### **Signed by Governor on May 16, 2019**

##### **State Expenditure**

This bill prohibits genital mutilation of a female under the age of 18 years and adds female genital mutilation of a minor to the definition of child abuse or neglect. The bill also creates a new felony offense punishable by a fine of not more than \$20,000 or imprisonment for not more than 20 years, or both.

**Judicial Department.** This bill would create a new criminal offense and expand the acts which constitute child abuse and neglect. Since the criminal offense is new, there is no data upon which to determine the impact on the caseload of the General Sessions Court. Similarly, there is no data upon which to predict the increase in Family Court abuse and neglect proceedings that may occur. The Judicial Department anticipates that any additional costs in General Sessions Court and Family Court resulting from this bill will be absorbed within the Judicial Department's existing appropriations.

**Commission on Prosecution Coordination.** The implementation of this bill will have no expenditure impact to the General Fund, Other Funds, or Federal Funds, as the department expects to manage any increase in caseloads within current resources.

**Commission on Indigent Defense.** The implementation of this bill will have no expenditure impact to the General Fund, Other Funds, or Federal Funds, as the department expects to manage any increase in caseloads within current resources.

**Department of Corrections.** The bill establishes a new offense which there is no historical data to estimate the number of offenders. However, in FY 2018-19, new admissions to the department for similar offenses included 4 inmates admitted for the offense of inflicting injury on a child, 1 inmate with the offense of allowing great injury to a child, and 2 inmates admitted for child abuse. Average sentences for these offenses ranged from 3.5 to 6 years and maximum sentences ranged from 5 to 10 years. The agency reports that any increase in caseloads can be managed within existing resources.

**State Revenue**

N/A

**Local Expenditure**

N/A

**Local Revenue**

N/A



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Frank A. Rainwater, Executive Director