

Statement of Estimated State Revenue Impact

Date: March 11, 2013

Bill Number: H.B. 3329

Authors: Pope

Committee Requesting Impact: House Judiciary

Bill Summary

A bill to amend Section 50-1-130, Code of Laws of South Carolina, 1976, relating to penalties associated with offenses contained in Title 50 so as to revise the penalties for these offenses, and provide that magistrates court has both original and concurrent jurisdiction over these offenses.

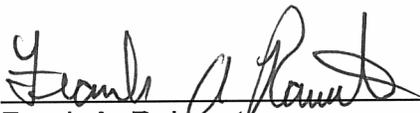
REVENUE IMPACT ^{1/}

This bill is expected to raise funds earmarked to the County Game and Fish Fund within the Department of Natural Resources (DNR) by \$15,000 in FY 2013-14.

Explanation

Unless a different penalty is specified, this bill provides that a person who violates a provision of Title 50 (Fish, Game and Watercraft) is guilty of a misdemeanor. Magistrates court would now have both original and concurrent jurisdiction over such misdemeanor offenses. Further, the bill changes language to conform maximum penalties on criminal convictions to statutory limits set for magistrates courts in this State, which are a maximum fine of \$500 and a maximum jail term of up to 30 days. Such changes would raise the maximum fine by \$300, from current \$200 to \$500, and expand sentence term up to twenty additional days from current maximum of ten days. And, judge would have new option to impose both a fine and jail term.

According to enforcement records of the Department of Natural Resources (DNR) all but 1-2 percent of criminal cases are currently held in magistrates court. Thus, expanding jurisdiction for certain violations under Title 50 would shift only 100 cases into magistrates court per year. Of those 100 new cases, approximately 50 are expected to result in convictions with an average increase of \$300 in the fine imposed. Multiplying 50 fines times \$300 yields \$15,000. Pursuant to Section 50-9-910(A), revenue from fines and forfeitures of violations of Chapters 1 through 16 of Title 50 must be credited to the County Game and Fish Fund subaccount for the county from which revenue was collected. This bill is therefore expected to raise fine proceeds earmarked to the respective County Game and Fish Fund within the DNR by \$15,000 in FY 2013-14.



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^{1/} This statement meets the requirement of Section 2-7-71 for a state revenue impact by the BEA, or Section 2-7-76 for a local revenue impact or Section 6-1-85(B) for an estimate of the shift in local property tax incidence by the Office of Economic Research.