

FISCAL IMPACT STATEMENT ON BILL NO. **S. 141**

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TO:	The Honorable Larry A. Martin, Chairperson, Senate Judiciary Committee		
FROM:	State Budget Division, Budget and Control Board		
ANALYSTS:	Rachael Fulmer, Rodney Grizzle		
DATE:	February 13, 2013	SBD:	2013090

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AUTHOR:	Senator Malloy	PRIMARY CODE CITE:	17-22-1310
SUBJECT:	Drug Court Program Act		

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ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

A Cost to the General Fund (See Below)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

\$0 (No additional expenditures or savings are expected)

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**BILL SUMMARY:**

This Bill would amend the Code of Laws of South Carolina by adding Article 13 to Chapter 22, Title 17. The Bill would direct each Circuit Solicitor to establish a Drug Court Program for adults and juveniles and establish the criteria for eligibility and fees for participation of persons charged with nonviolent offenses. In addition, this Bill would allow each Circuit Solicitor to establish an Office of Drug Court Program Coordinator who provides annual reports detailing the activities of drug court programs. This Bill directs the Commission of Prosecution Coordination to establish a State Office of Drug Court Coordination and provides for the appointment of Drug Court Judges and their compensation.

**EXPLANATION OF IMPACT:**

Commission on Prosecution Coordination:

The Department indicates that this Bill is estimated to cost \$125,000 per Adult Drug Court and \$75,000 per Juvenile Drug Court, for a total of \$200,000 per county. In some counties, costs could run as high as \$300,000. There are several existing sources of funding for Drug Courts that are currently operating. The Drug Court surcharge generates \$1.4 to \$1.8 million per year. This funding is distributed to all 16 Circuits on a per capita basis. In addition, the 2010 Omnibus Crime bill generates \$275,000 to \$325,000 that is distributed to all 16 Circuits on a per capita basis. Five Circuits receive additional funds from Motion Fees. This Bill also provides for a \$150 enrollment fee, which may be waived for inability to pay. The current funding amount is approximately \$2,847,400. The Department estimates that an additional \$9,803,000 is needed to fund an adult and juvenile Drug Court Program in each county. State general funds would be needed if the fees do not cover the full cost of the program.

In addition, this Bill establishes a State Drug Court Coordinator which would require funding of 1 FTE, Program Manager, at approximately \$88,821.

This Bill requires the Commission on Prosecution Coordination to keep records on those who have completed Drug Court. This will require the Department to have a centralized database similar to the database used for Pre-Trial Intervention. The Department estimates a nonrecurring cost of \$50,000 for software and hardware.

Judicial Department:

The Department indicates this Bill will have a minimal fiscal impact on the General Fund of the State, which the agency indicates can be absorbed at their current level of funding.

**SPECIAL NOTES:**

The Board of Economic Advisors is the appropriate entity to address any revenue impact associated with the Bill.

Approved by:

A handwritten signature in black ink, appearing to read "Brenda Hart". The signature is fluid and cursive, with the first name being more prominent.

Brenda Hart  
Assistant Director, State Budget Division