



**SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE**  
**STATEMENT OF ESTIMATED FISCAL IMPACT**  
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Bill Number: S. 0268 As signed by the Governor on June 3, 2015  
 Author: L. Martin  
 Requestor: House Judiciary  
 Date: June 25, 2015  
 Subject: Jurisdiction of State Grand Jury  
 RFA Analyst(s): Shealy, Gardner, and Stein

**Estimate of Fiscal Impact**

|                                  | <b>FY 2015-16</b> | <b>FY 2016-17</b> |
|----------------------------------|-------------------|-------------------|
| <b>State Expenditure</b>         |                   |                   |
| General Fund                     | \$0               | N/A               |
| Other and Federal                | \$0               | N/A               |
| Full-Time Equivalent Position(s) | 0.00              | 0.00              |
| <b>State Revenue</b>             |                   |                   |
| General Fund                     | N/A               | N/A               |
| Other and Federal                | N/A               | N/A               |
| <b>Local Expenditure</b>         | N/A               | N/A               |
| <b>Local Revenue</b>             | N/A               | N/A               |

**Fiscal Impact Summary**

This bill would have no fiscal impact on the State General Fund, Federal Funds, or Other Funds.

**Explanation of Fiscal Impact**

**Explanation of Amendment (May 20, 2015) – By the House**

The amendment provides that the Attorney General shall determine whether an investigation of crimes specified in Section 14-7-1630 should be presented to a county grand jury or to initiate a state grand jury investigation. The amendment states the Attorney General may either refer the matter to a solicitor for investigation and prosecution or remove himself entirely from any involvement in a case. A hearing on a motion to disqualify the Attorney General from a state grand jury investigation shall be held in public. The amendment also provides that a person indicted by a state grand jury for a bailable offense must have a bond hearing before the end of the second day following the day of arrest. The amendment has no additional impact; therefore, the impact of the bill as amended is unchanged from the bill as filed.

**Explanation of Bill Filed on December 10, 2014**

**State Expenditure**

This bill amends the code relating to the jurisdiction of state grand juries, the duties and obligations of the Attorney General regarding the state grand jury system, and the impaneling of the grand jury to provide changes to the selection of grand jurors. The bill also makes amendments relating to the areas of inquiry and related procedures, secrecy of proceedings, and procedures regarding the communications between the presiding judge and the Attorney General,

including appellate review of a judge's refusal to impanel a state grand jury. The bill also provides a procedure when a conflict of interest arises involving the Attorney General and provides procedures related to secrecy of certain grand jury proceedings.

The State Law Enforcement Division, the Office of the Attorney General, and the Department of Health & Environmental Control all report that this bill will have no expenditure impact on the General Fund, Federal Funds, or Other Funds.

**State Revenue**

N/A

**Local Expenditure**

N/A

**Local Revenue**

N/A



Frank A. Rainwater, Executive Director