



**SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE**  
**STATEMENT OF ESTIMATED FISCAL IMPACT**  
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**Bill Number:** S. 0709 Signed by Governor on July 2, 2018  
**Author:** Hembree  
**Subject:** Fire and Safety Policies  
**Requestor:** House of Representatives  
**RFA Analyst(s):** A. Martin, Gardner, and Powell  
**Impact Date:** August 13, 2018

**Estimate of Fiscal Impact**

	<b>FY 2018-19</b>	<b>FY 2019-20</b>
<b>State Expenditure</b>		
General Fund	See Below	\$157,422
Other and Federal	\$0	\$0
Full-Time Equivalent Position(s)	0.00	2.00
<b>State Revenue</b>		
General Fund	\$0	\$0
Other and Federal	\$0	\$0
<b>Local Expenditure</b>	\$0	\$0
<b>Local Revenue</b>	\$0	\$0

**Fiscal Impact Summary**

The Department of Education (Department) indicates that this bill will increase General Fund expenditures by \$157,422 for 2 time-limited FTEs during FY 2019-20, FY 2020-21, and FY 2021-22 to provide technical assistance to schools and review each school’s fire and safety policy. The Department also indicates that this bill will increase General Fund expenditures for FY 2018-19 for printing and distributing training materials. However, the total amount of the FY 2018-19 increase is undetermined because the format of the materials has not been determined.

This bill will have no expenditure impact on the Department of Labor, Licensing and Regulation (LLR), because the Office of State Fire Marshal (OSFM) will administer policies resulting from the bill with the use of existing staff and resources.

This bill will have no expenditure impact on the State Law Enforcement Division (SLED), because the agency will administer policies resulting from the bill with the use of existing staff and resources.

This bill will have no impact on local expenditure, because we anticipate that schools will implement their safety plans using options that can be accomplished within existing resources.

This bill will have no impact on local revenue. The fine for noncompliance with fire drill regulation, which is repealed by this bill, generated an insignificant amount of local revenue.

## Explanation of Fiscal Impact

**Signed by Governor on July 2, 2018**

### **State Expenditure**

This bill requires the Department and OSFM to collaboratively develop guidelines for fire and safety policies. These program guidelines must be made available to the school districts and charter schools prior to the beginning of the 2019-2020 school year. The Department and OSFM must review facility fire and safety policies adopted by school districts and charter schools and provide written suggestions for improvement on these policies within 120 days of receipt. School districts and charter schools may request technical assistance with developing these policies.

This bill further requires the Department and the State Law Enforcement Division (SLED) to develop guidelines for the conduct of active shooter drills and developmentally appropriate training materials by August 1, 2018. The Department and SLED must consult with school-employed mental health professionals and OSFM in creating and updating these guidelines.

**Department of Education.** This bill requires the Department to consult with OSFM and SLED to develop guidelines and training materials. While there will be increased expenditures of \$37,000 associated with these activities for consulting with a content expert, this cost can be managed within the Department's existing appropriations and authorizations. As to the costs of printing and distributing training materials, the Department indicates these expenditures cannot be determined until the format of those materials is decided upon after the guidelines have been developed. Therefore, we are currently unable to determine the amount of the increase in General Fund expenditures due to these portions of the bill.

In addition, this bill requires the Department to conduct a detailed review of the safety plans submitted by the districts, and make recommendations for improvements within 120 days of receipt. According to the Department, every school will require their own individual plans because of the unique layout of each school. The safety plans submitted by the districts will be a compilation of all the safety plans of all the schools in the district. Therefore, the Department will be reviewing safety plans for each school instead of one plan for each district. There are currently 1,250 public and charter schools that will be required to submit safety plans. The Department indicates that current staff is not able to complete this workload within the allotted timeframe. These activities would require the Department to hire a time-limited Safety and Security Coordinator for a total annual cost, including salary, fringe, travel, and supplies, of \$91,382 and a time-limited Program Assistant for a total annual cost, including salary, fringe, travel, and supplies, of \$66,040. These temporary positions would be required for FY 2019-20 and FY 2020-21 to provide assistance to school districts and for FY 2021-22 to review school district plans. Adding the expenditure for these two positions, we find that these portions of the bill will increase General Fund expenditures by \$157,422 each year beginning FY 2019-20 through FY 2021-22.

**Department of Labor, Licensing, and Regulation.** This bill charges OSFM with additional responsibilities that the agency is able to manage within existing appropriations. Therefore, this

bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds for the agency.

**State Law Enforcement Division.** This bill charges SLED with additional responsibilities that the agency is able to manage within existing appropriations. Therefore, this bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds.

### **State Revenue**

N/A

### **Local Expenditure**

This bill requires school districts and charter schools to adopt a policy and program for school facility fire and safety before the beginning of the 2020-2021 school year. This bill does not apply to charter schools whose instruction is primarily delivered online. This bill also establishes guidelines for the manner in which the policies are adopted, and requires that they are published on the districts' and charter schools' websites.

In addition, this bill requires public schools and charter schools to conduct at least two fire drills, two active shooter drills, and two severe weather/earthquake drills each school year. At least one of each type of drill must be conducted each semester. Previously, schools were required to conduct fire drills at least once each month.

Establishing policies and procedures is an activity that occurs in the normal course of school district or charter school business. School districts and charter schools may incur costs associated with implementing these policies and programs and training school personnel. However, as they have the ability to tailor the program to meet their needs and available funding, we anticipate they will choose options which can be accomplished within existing resources. Therefore, these portions of the bill will have no impact on local government.

### **Local Revenue**

This bill eliminates the fine associated with failure to conduct required fire drills. School principals and charter school leaders are required to document their compliance with emergency drill regulation. Previously, failure to conduct the required monthly fire drill resulted in a fine of between ten and twenty-five dollars per incident. Exact fine data was not provided; however, anecdotal reports indicate that fines occurred infrequently. Due to the minimal amount of the fine and the frequency at which they occurred, this bill will have no impact to local revenue.



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Frank A. Rainwater, Executive Director