

FISCAL IMPACT STATEMENT ON BILL NO. **H. 3014, Senate Amendment**

(Doc. No. JUD3014.010)

TO: The Honorable Hugh K. Leatherman, Sr., Chairperson, Senate Finance Committee
FROM: State Budget Division, Budget and Control Board
ANALYSTS: Rodney P. Grizzle and Rachael Fulmer
DATE: January 15, 2014 SBD: 2014017

AUTHOR: Senator Malloy PRIMARY CODE CITE: 17-22-1320
SUBJECT: Veterans Treatment Court Program Act

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)

BILL SUMMARY:

House Bill 3014, Senate Amendment, amends the Code of Laws of South Carolina, 1976, by striking Sections 2, 3, and 4 of the Bill and inserting new sections which add Drug Court Programs in the 16 Judicial Circuits of the State of South Carolina.

EXPLANATION OF IMPACT:

The Judicial Department

The Drug Court Program in this amendment of Bill H. 3014 will not significantly change the fiscal impact to the Department. If the Drug Courts were held in the evenings by active members of the judiciary or by others appointed to serve as drug court judges, the impact on the pending docket for each court should not be affected. It is assumed that for any judges who are paid on a contractual basis, the funding would come from a source other than current Judicial Department General Funds. The proposed Bill also has the potential to reduce revenue to the General Fund as the offenders who enter Drug Court would not be required to pay court ordered fines, assessments, and surcharges. There is no data available to estimate the potential loss of revenue.

The Prosecution Coordination Commission

The Commission indicates an increase of \$10,297,733 recurring and \$175,000 non-recurring funding for Drug Court. This is using the estimated total cost of \$12,763,821 for Statewide Drug Court Funding minus the combined current funding amount of \$2,466,088. This amount is based on an average cost of \$150,000 per Adult Drug Court and \$125,000 per Juvenile Drug Court per county. The Prosecution Coordination Commission indicates there are several sources of funding for the Drug Courts that are currently operating.

The legislation requires the Commission to keep records on those who have completed Drug Court. The \$175,000 in non-recurring cost is necessary for the hardware and software for a centralized database.

This legislation requires a Statewide Drug Court Coordinator. Therefore, the Commission requests \$88,821 for one Program Manager I position along with \$25,000 increase in operating costs that would include Drug Court Database software licenses.

Department of Juvenile Justice

The Department indicates that this amended Bill will have a fiscal impact on the General Fund of the State of approximately \$727,040 in Personal Services/Employer Contributions for 16.00 new State FTEs. These new positions (Intensive Supervision Officers) would assigned to each of the 16 Judicial Circuits and would provide case

management and supervision to the juvenile participates in the Drug Court Program. The operating cost for these 16 new FTEs would be absorbed by the agency.

The Commission on Indigent Defense

Department of Probation, Parole and Pardon Services

The Agencies indicate this Bill will have no fiscal impact on the General Fund of the State or on the Federal and Other Funds.

Special Note:

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

Approved by:

A handwritten signature in black ink, appearing to read "Brenda Hart", with a stylized flourish at the end.

Brenda Hart

Assistant Director, State Budget Division