



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: H.3685 As amended by House Judiciary on March 18, 2015
 Author: Moss
 Requestor: House Judiciary
 Date: March 23, 2015
 Subject: Electronic tickets and citations
 RFA Analyst(s): Wren

Estimate of Fiscal Impact

	FY 2015-16	FY 2016-17
State Expenditure		
General Fund	N/A	N/A
Other and Federal	N/A	N/A
Full-Time Equivalent Position(s)	0.00	0.00
State Revenue		
General Fund	\$0	N/A
Other and Federal	\$7,720,000	N/A
Local Expenditure	Minimal	N/A
Local Revenue	N/A	N/A

Fiscal Impact Summary

This amendment is expected to increase Other Funds revenue by \$7,720,000 in FY 2015-16. There would be no revenue impact on the General Fund or Federal Funds. The expenditure impact on municipal governments is expected to be minimal.

Explanation of Fiscal Impact

State Expenditure

N/A

State Revenue

Explanation of Amendment (March 18, 2015) – By the House Judiciary Special Laws Subcommittee

This amendment adds Section 14-1-219, which requires a five dollar surcharge to be imposed on all fines, forfeitures, escheatments, or other monetary penalties imposed in general sessions court, magistrates court, and municipal court for misdemeanor traffic offenses and for non-traffic violations which a ticket or citation was issued. Twenty percent of the revenue must be allocated to the Office of Court Administration and eighty percent must be allocated to the law enforcement agency that prepared the citation or ticket. All funds derived from this surcharge must be used exclusively for the procurement, maintenance, and repair of electronic citation systems.

Based upon information obtained from the FY 2013-14 State Treasurer’s Court Distribution to Agencies Report, the Law Enforcement Training Council receives approximately \$3,500,000

from the five dollar surcharge that is used to fund training at the Criminal Justice Academy. This five dollar surcharge is levied on all fines, forfeitures, escheatments, and other monetary penalties imposed in general sessions court, magistrates court, and municipal court, for misdemeanor traffic offenses and non-traffic violations. We use the current \$3,500,000 as part of the estimated revenue impact, but these surcharges do not include parking citations.

To add parking violations, RFA requested the Municipal Association of South Carolina to assist us in gathering data on municipal parking violations since there is no central depository for this data. The Municipal Association reports that most smaller municipalities across the state do not issue parking tickets as there is low demand for parking. Therefore, we are using a municipal population of 40,000 as a threshold for determining municipalities expected to issue tickets in our analysis. Based upon U.S. Census population, eight municipalities have a population of 40,000 or greater. The Municipal Association reports that two of the largest municipalities in the state issued 211,000 parking tickets in 2014. The average number of parking tickets for these two municipalities is 105,500. Applying this average to the remaining municipalities with a population of at least 40,000, factoring in the new five dollar surcharge, and assuming a similar pattern in FY 2015-16, we estimate an additional \$4,220,000 in revenue for the parking ticket portion of this amendment.


Therefore, we estimate the five dollar surcharge on traffic and non-traffic violations and parking citations, associated with this amendment, would increase Other Funds revenue by \$7,720,000 in FY 2015-16. Twenty percent, or \$1,544,000, would be allocated to the Office of Court Administration and eighty percent, or \$6,176,000 would be allocated to the law enforcement agency that prepared the citation or ticket in FY 2015-16.

Local Expenditure

The Revenue and Fiscal Affairs Office contacted the Municipal Association of South Carolina and twenty-five county governments regarding the expenditure impact of this amendment. We received responses from the Municipal Association and two county responses. The Municipal Association reports that municipalities currently collect surcharges on tickets, so the expenditure impact on municipal governments would be minimal. Charleston County reports that it does not collect parking violations. Florence County indicates this amendment would have no impact. Due to the limited number of county responses, our office cannot determine an expenditure impact on county governments.

Local Revenue

N/A



Frank A. Rainwater, Executive Director