



**SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE**  
**STATEMENT OF ESTIMATED FISCAL IMPACT**  
 (803)734-0640 • RFA.SC.GOV/IMPACTS

**Bill Number:** H. 4633 As signed by the Governor on February 16, 2016  
**Author:** Bingham  
**Subject:** Educational Tax Credit for Exceptional Needs Children  
**Requestor:** House of Representatives  
**RFA Analyst(s):** Shuford  
**Impact Date:** June 3, 2016

**Estimate of Fiscal Impact**

	<b>FY 2016-17</b>	<b>FY 2017-18</b>
<b>State Expenditure</b>		
General Fund	\$0	\$0
Other and Federal	\$0	\$0
Full-Time Equivalent Position(s)	0.00	0.00
<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**

This joint resolution would have no expenditure or revenue impact on the General Fund, Federal Funds, or Other Funds.

**Explanation of Fiscal Impact**

**Explanation of Amendment by the Senate on February 4, 2016**

**State Expenditure**

This joint resolution extends the deadline for an independent school to apply to the Education Oversight Committee (EOC) for eligibility to receive contributions from nonprofit scholarship funding organizations and individuals as tuition payment for exceptional needs children within their custody or care from August 1, 2015, to May 1, 2016. The EOC indicates that the consideration of any additional applications would have no expenditure impact on the General Fund, Federal Funds, or Other Funds.

**State Revenue**

This joint resolution may increase the number of institutions eligible to receive contributions from nonprofit scholarship funding organizations and individuals as tuition payment for exceptional needs children within their custody. Tax credits for contributions to nonprofit scholarship funding organizations are limited to \$8 million. Contributions by individuals as tuition payment for exceptional needs children within their custody are limited to \$4 million. The cumulative maximum total of these tax credits may not exceed \$12 million. If the tax credits claimed by taxpayers in the two categories exceed the specified limits, the Department of Revenue will allow the credits on a first-come, first-served basis. Therefore, the maximum

credits allowed pursuant to Section 9 of Act 92 of 2015 will not increase above the \$12 million limit regardless of the number eligible independent schools.

When the Board of Economic Advisors (BEA) set the initial forecast for FY 2016-17 in November 2015, the forecast included an adjustment for the \$12 million cumulative total tax credits authorized by Section 9 of Act 92 of 2015. This adjustment included the \$4 million revenue impact of the refundable exceptional needs child tuition tax credit and the maximum \$8 million in tax credits allowed for donations to nonprofit scholarship organizations. Therefore, the proposed extension of the application date for independent schools to May 1, 2016, will have no further revenue impact on the General Fund.

**Local Expenditure**

N/A

**Local Revenue**

N/A

**Explanation of Bill Filed January 13, 2016**

**State Expenditure**

This joint resolution extends the deadline for an independent school to apply to the Education Oversight Committee (EOC) for eligibility to receive contributions from nonprofit scholarship funding organizations and individuals as tuition payment for exceptional needs children within their custody or care from August 1, 2015, to February 15, 2016. The EOC indicates that the consideration of any additional applications would have no expenditure impact on the General Fund, Federal Funds, or Other Funds.

**State Revenue**

This joint resolution may increase the number of institutions eligible to receive contributions from nonprofit scholarship funding organizations and individuals as tuition payment for exceptional needs children within their custody. Tax credits for contributions to nonprofit scholarship funding organizations are limited to \$8 million. Contributions by individuals as tuition payment for exceptional needs children within their custody are limited to \$4 million. The cumulative maximum total of these tax credits may not exceed \$12 million. If the tax credits claimed by taxpayers in the two categories exceed the specified limits, the Department of Revenue will allow the credits on a first-come, first-served basis. Therefore, the maximum credits allowed pursuant to Section 9 of Act 92 of 2015 will not increase above the \$12 million limit regardless of the number eligible independent schools.

When the Board of Economic Advisors (BEA) set the initial forecast for FY 2016-17 in November 2015, the forecast included an adjustment for the \$12 million cumulative total tax credits authorized by Section 9 of Act 92 of 2015. This adjustment included the \$4 million revenue impact of the refundable exceptional needs child tuition tax credit and the maximum \$8 million in tax credits allowed for donations to nonprofit scholarship organizations. Therefore, the proposed extension of the application date for independent schools to March 1, 2016, will have no further revenue impact on the General Fund.

**Local Expenditure**

N/A

**Local Revenue**

N/A

A handwritten signature in blue ink, reading "Frank A. Rainwater". The signature is stylized with a large initial "F" and a long, sweeping underline.

---

Frank A. Rainwater, Executive Director