



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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This fiscal impact statement is produced in compliance with the South Carolina Code of Laws and House and Senate rules. The focus of the analysis is on governmental expenditure and revenue impacts and may not provide a comprehensive summary of the legislation.

Bill Number:	H. 4825	Introduced on January 10, 2024
Author:	Hewitt	
Subject:	Kidnapping Luring	
Requestor:	House Judiciary	
RFA Analyst(s):	Gardner	
Impact Date:	January 31, 2024 - Updated for Revised Agency Response	

Fiscal Impact Summary

This bill adds the act of luring a person to the offenses involving kidnapping, creates an enhanced penalty for kidnapping and related acts if the victim is a minor, and provides that attempting to commit kidnapping or related acts are punishable as for the principal offenses.

Judicial reports that implementation of the bill may result in an increase in general sessions court caseloads, which can be managed using existing staff and appropriations. Therefore, the bill will result in no expenditure impact for Judicial. Also, the Commission on Indigent Defense anticipates being able to manage an increase in workload with existing staff and within existing appropriations. However, if this bill results in a significant increase in the workload, the agency will request an increase in General Fund appropriations.

The Commission on Prosecution Coordination reports this bill requires the Commission to perform activities that will be conducted in the normal course of agency business. As a result, this bill does not have an expenditure impact on the agency.

This bill may result in an increase in the number of inmates housed by the Department of Corrections. No data are available to estimate the increase in the number of inmates that may be housed by Corrections. According to Corrections, in FY 2022-23, the annual total cost per inmate was \$37,758, of which \$34,570 was state funded. If this bill results in an increase in incarcerations, Corrections will request an increase in General Fund Appropriations.

This impact statement has been updated to include a revised response from the Commission on Prosecution Coordination.

Explanation of Fiscal Impact

Updated for Revised Agency Response

Introduced on January 10, 2024

State Expenditure

This bill amends provisions related to offenses involving kidnapping to include the act of luring and to creates an enhanced penalty for a person convicted of kidnapping a minor. The enhanced penalty increases a defendant's term of imprisonment by an additional five years. The bill also

provides that a person convicted of attempting to unlawfully seize, confine, inveigle, lure, decoy, kidnap, abduct, or carry away another person is guilty of a felony punishable by a term of imprisonment for not more than 30 years, in addition to the term of imprisonment for five years if the victim is a minor.

Judicial. Judicial reports that implementation of the bill may result in an increase in general sessions court caseloads, which can be managed using existing staff and appropriations. Therefore, the bill will result in no expenditure impact for Judicial.

Commission on Prosecution Coordination. This bill requires the Commission to perform activities that will be conducted in the normal course of agency business. As a result, this bill does not have an expenditure impact on the agency.

Commission on Indigent Defense. This bill adds luring to the offense of kidnapping which could result in an increase in the number of cases handled by the indigent defense attorneys. The agency indicates that if this bill results in a significant increase in the workload, the agency will request an increase in General Fund appropriations.

Department of Corrections. This bill may result in an increase in the number of inmates housed by the Department of Corrections. However, no data are available to estimate the increase in the number of inmates that may be housed by Corrections. According to Corrections, in FY 2022-23, the annual total cost per inmate was \$37,758, of which \$34,570 was state funded. However, as the potential increase in incarcerations is unknown, any expenditure impact for Corrections is undetermined. Corrections indicates that if this bill results in a significant increase in the inmate population, the agency will request an increase in General Fund appropriations.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A

Introduced on January 10, 2024

State Expenditure

This bill amends provisions related to offenses involving kidnapping to include the act of luring and to creates an enhanced penalty for a person convicted of kidnapping a minor. The enhanced penalty increases a defendant's term of imprisonment by an additional five years. The bill also provides that a person convicted of attempting to unlawfully seize, confine, inveigle, lure, decoy, kidnap, abduct, or carry away another person is guilty of a felony punishable by a term of imprisonment for not more than 30 years, in addition to the term of imprisonment for five years if the victim is a minor.

Judicial. Judicial reports that implementation of the bill may result in an increase in general sessions court caseloads, which can be managed using existing staff and appropriations. Therefore, the bill will result in no expenditure impact for Judicial.

Commission on Prosecution Coordination. This bill adds luring to the offense of kidnapping which could result in an increase in the number of cases handled by state prosecutors. The agency indicates that if this bill results in a significant increase in the workload, the agency will request an increase in General Fund appropriations.

Commission on Indigent Defense. This bill adds luring to the offense of kidnapping which could result in an increase in the number of cases handled by the indigent defense attorneys. The agency indicates that if this bill results in a significant increase in the workload, the agency will request an increase in General Fund appropriations.

Department of Corrections. This bill may result in an increase in the number of inmates housed by the Department of Corrections. However, no data are available to estimate the increase in the number of inmates that may be housed by Corrections. According to Corrections, in FY 2022-23, the annual total cost per inmate was \$37,758, of which \$34,570 was state funded. However, as the potential increase in incarcerations is unknown, any expenditure impact for Corrections is undetermined. Corrections indicates that if this bill results in a significant increase in the inmate population, the agency will request an increase in General Fund appropriations.

State Revenue

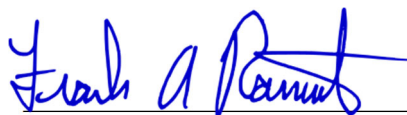
N/A

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director