



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:	S. 0947	Introduced on January 10, 2024
Author:	Hembree	
Subject:	Kidnapping	
Requestor:	Senate Judiciary	
RFA Analyst(s):	Gardner	
Impact Date:	January 30, 2024	

Fiscal Impact Summary

This bill clarifies a person can be sentenced for kidnapping and murder. Currently, some courts have not imposed a kidnapping sentence on top of a murder sentence.

This bill does not operationally or fiscally impact Judicial, the Commission on Prosecution Coordination, the Commission on Indigent Defense, the Office of Attorney General or the Department of Social Services.

This bill may result in an increase in the number of inmates housed by the Department of Corrections in the limited circumstance where a person is sentenced for both murder and kidnapping. 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.

Explanation of Fiscal Impact

Introduced on January 10, 2024

State Expenditure

This bill removes the murder sentencing exception from the conviction of kidnapping language. Currently, a person who is found guilty of the felony of kidnapping must be imprisoned for up to thirty years, unless he is sentenced for murder. In some cases, the court has interpreted this to mean a person could not be sentenced for both murder and kidnapping. The removal of this exception would mean that a person simultaneously convicted of both offenses could serve two sentences.

This bill neither operationally nor fiscally impacts Judicial, the Commission on Prosecution Coordination, the Commission on Indigent Defense, the Office of Attorney General, or the Department of Social Services.

This bill may result in an increase in the number of inmates housed by the Department of Corrections in the limited circumstance where a person is sentenced for both murder and kidnapping. 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 a significant increase in incarcerations, Corrections 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