



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. 0173 Introduced on January 10, 2023
Author: Climer
Subject: Clemson University
Requestor: Senate Agriculture and Natural Resources
RFA Analyst(s): Tipton
Impact Date: February 8, 2023

Fiscal Impact Summary

This bill requires all new regulations and amendments to existing regulations promulgated by the Division of Regulatory and Public Service Programs within Clemson Public Service and Agriculture (PSA) must be in accordance with the provisions contained in Article 1, Chapter 23, Title 1, related to the State Register and Code of Regulations. The bill further amends code related to the State Crop Pest Commission within Clemson PSA to provide that any regulation promulgated must be done so in accordance with the provisions of the chapter.

This bill will increase Other Fund expenditures for Clemson PSA by approximately \$8,000 in a given year for expenses related to the promulgation of new regulations or amendments to existing regulations for the designation of plant pests, as deemed necessary by the State Crop Pest Commission. These expenses include the cost of drafting regulations by General Counsel in conjunction with the Director of the Division of Regulatory and Public Service Programs and travel expenses for requesting regulation approval from the General Assembly. Clemson PSA reports that these Other Funds expenditures would be covered by current program fees.

Explanation of Fiscal Impact

Introduced on January 10, 2023

State Expenditure

This bill requires that all new regulations and amendments to existing regulations promulgated by the Division of Regulatory and Public Service Programs within Clemson PSA must be in accordance with the provisions contained in Article 1, Chapter 23, Title 1, related to the State Register and Code of Regulations. The Division of Regulatory and Public Service Programs within Clemson PSA may not promulgate regulations without the review of the General Assembly, but may file an emergency regulation under §1-23-130 if warranted. Emergency regulations expire within 180 days and must be subsequently approved by the General Assembly. If the emergency regulation expires while the General Assembly is not in session, Clemson PSA may re-file an emergency regulation that will expire within 90 days of filing.

The bill further amends code related to the State Crop Pest Commission within Clemson PSA to provide that any regulation promulgated must be done so in accordance with the provisions contained in Article 1, Chapter 23, Title 1. These regulations may be related to identification of

plant pests, pesticides, fertilizers, and other areas under the purview of the State Crop Pest Commission and Clemson PSA.

According to Clemson PSA, this bill may increase expenses related to the regulation of plant pests, the only item under the purview of the State Crop Pest Commission in which regulations are not currently promulgated in accordance with Article 1, Chapter 23, Title 1 of SC code. Designating or making a change to a currently designated plant pest would take place as deemed necessary by the State Crop Pest Commission, and would incur additional expenses of approximately \$8,000 annually in each year that a change or addition to the regulations was required. These expenses include the cost of drafting regulations by General Counsel in conjunction with the Director of the Division of Regulatory and Public Service Programs and travel expenses for requesting regulation approval from the General Assembly. Therefore, this bill will increase Other Funds expenditures for Clemson PSA by approximately \$8,000 in each year that regulatory changes or additions for plant pests are required. Clemson PSA anticipates being able to cover this Other Funds expenditure increase with existing Other Funds program fee revenue.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director