



**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.*

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**Bill Number:** S. 0032    Introduced on January 10, 2023  
**Author:** Hutto  
**Subject:** Uninsured Motorist Coverage  
**Requestor:** Senate Banking and Insurance  
**RFA Analyst(s):** Tipton and Gardner  
**Impact Date:** March 14, 2023

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### **Fiscal Impact Summary**

This bill modifies uninsured motorist coverage by adding certain conditions under which there is a right of action or recovery if the owner or operator of a motor vehicle which causes bodily injury or property damage to the insured is unknown.

This bill will have no impact on the Department of Insurance (DOI) or Judicial, as both entities anticipate being able to manage any additional responsibilities or caseload with existing staff and within existing appropriations.

This may result in an increase in the fines and fees collected in court. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, the Revenue and Fiscal Affairs Office (RFA) anticipates this bill may result in an undetermined impact to General Fund revenue, Other Funds revenue, and local revenue due to the increase in fines and fees collections in court.

### **Explanation of Fiscal Impact**

#### **Introduced on January 10, 2023**

#### **State Expenditure**

This bill amends §38-77-170 related to uninsured motorist coverage to include the following as conditions under which there is a right of action or recovery if the owner or operator of a motor vehicle which causes bodily injury or property damage to the insured is unknown:

- If an affidavit attesting to the facts of the accident by a witness other than the owner or operator has not been obtained, the insured may seek a court order for a pre-suit deposition of the witness under the procedures under Rule 27, South Carolina Rules of Civil Procedure, or
- The insured can provide a recording of the accident, obtained electronically or otherwise, showing that the damage or injury was caused by the unknown vehicle.

**Department of Insurance.** DOI anticipates being able to manage any additional responsibilities due to this bill with existing staff and within existing appropriations. Therefore, this bill will have no impact on DOI.

**Judicial.** Since the bill modifies a cause of action, there are no data available to estimate the number of court filings that may occur due to this modification. However, Judicial intends to use existing General Fund appropriations to manage any increase in caseloads. Therefore, this bill will have no impact on Judicial.

**State Revenue**

This bill modifies uninsured motorist coverage by adding certain conditions under which there is a right of action or recovery if the owner or operator of a motor vehicle which causes bodily injury or property damage to the insured is unknown.

This modified cause of action may result in an increase in the fines and fees collected in court. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, RFA anticipates this bill may result in an undetermined impact to General Fund revenue and Other Funds revenue due to the potential increase in fines and fees collections in court.

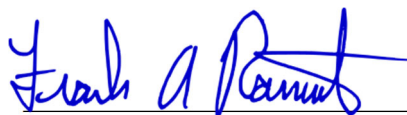
**Local Expenditure**

N/A

**Local Revenue**

This bill modifies uninsured motorist coverage by adding certain conditions under which there is a right of action or recovery if the owner or operator of a motor vehicle which causes bodily injury or property damage to the insured is unknown.

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Frank A. Rainwater, Executive Director