



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. 0486 Introduced on February 2, 2023
Author: Goldfinch
Subject: AG on Behalf of SC
Requestor: Senate Judiciary
RFA Analyst(s): Boggs
Impact Date: March 27, 2023

Fiscal Impact Summary

This bill establishes that when the Office of the Attorney General brings or defends an action in the name of the State of South Carolina, the Attorney General acts in the public interest of the State and not as the legal representative or attorney of any department or agency of state government. Therefore, the Attorney General cannot be considered to have possession, custody, or control over state agency documents or electronically stored information. This bill does list an exception for actions brought under Section 39-5-140 on behalf of a department or agency of state government. Further, this bill establishes that at the conclusion of the investigation or litigation, the Attorney General may return, destroy, or maintain information within applicable document retention policies. This bill will have no fiscal impact on the Attorney General's Office, as any additional costs can be managed within existing appropriations.

Explanation of Fiscal Impact

Introduced on February 2, 2023

State Expenditure

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State Revenue

N/A

Local Expenditure and Revenue

N/A

Frank A. Rainwater, Executive Director