



**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. 0854    Prefiled on November 30, 2022  
**Author:** Davis  
**Subject:** Safer Syringe Program  
**Requestor:** Senate Medical Affairs  
**RFA Analyst(s):** Griffith and Gardner  
**Impact Date:** January 2, 2024

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### **Fiscal Impact Summary**

This bill allows an organization that provides substance use disorder assistance and services to establish and operate a safer syringe program. The bill also specifies that employees and participants in full compliance with the bill's provisions are exempt from criminal liability under Chapter 53, Title 44. Further, the bill exempts from civil liability a law enforcement officer acting in good faith who arrests or files charges against a person who is thereafter determined to be entitled to immunity from prosecution.

This bill will have no expenditure impact on the Department of Health and Environmental Control (DHEC) or the Department of Alcohol and Other Drug Abuse Services (DAODAS) because any communication regarding safer syringe programs between the agencies will be handled within the normal course of agency business.

This bill will have no expenditure impact on Judicial, the Commission on Prosecution Coordination, or the Commission on Indigent Defense since the provisions of the bill can be managed within the normal course of business. Further, there was only one disposition related to Chapter 53, Title 44 in FY 2022-23.

### **Explanation of Fiscal Impact**

#### **Prefiled on November 30, 2022**

#### **State Expenditure**

This bill allows a community distributor, defined as an organization that provides substance use disorder assistance and services, to establish and operate a safer syringe program. A safer syringe program may:

- provide program participants with education regarding the proper disposal of used hypodermic needles and syringes,
- furnish or make available certain disposal options for used hypodermic needles and syringes,
- provide hypodermic needles, syringes, and other supplies at no cost and in quantities sufficient to ensure that they are not shared or reused,
- provide program participants emergency opioid antidotes and instructions and training on how to use such medication, and

- employ locally relevant outreach strategies to enhance sustainability and coverage for hard-to-reach populations.

Additionally, a program employee or participant who is in full compliance with the provisions of the bill shall not be in violation of possession or distribution of needles, hypodermic syringes, or other injection supplies. Further, a law enforcement officer acting in good faith shall not be subject to civil liability for the arrest of or filing of charges against a person who is thereafter determined to be entitled to immunity from prosecution.

**Department of Health and Environmental Control.** This bill requires DHEC to perform activities that will be conducted within the normal course of agency business, such as communicating with DAODAS. Therefore, there will be no expenditure impact to DHEC.

**Department of Alcohol and Other Drug Abuse Services.** This bill requires DAODAS to perform activities that will be conducted within the normal course of agency business, such as communicating with DHEC. Therefore, there will be no expenditure impact to DAODAS.

**Judicial.** This bill exempts employees or participants in full compliance with the bill's provisions from criminal liability under Chapter 53, Title 44, and it exempts from civil liability officers who have acted in good faith in arresting or filing charges against a person who is thereafter determined to be entitled to immunity from prosecution. There was only one disposition for a hypodermic needle/syringe violation in FY 2022-23. As such, Judicial anticipates this bill will have no expenditure impact.

**Commission on Prosecution Coordination.** This bill will have no expenditure impact on the Commission since the agency anticipates the bill is unlikely to result in a significant increase in the number of cases handled by the agency.

**Commission on Indigent Defense.** This bill will have no expenditure impact on the Commission since the agency anticipates the bill is unlikely to result in a significant increase in the number of cases handled by the agency.

**State Revenue**

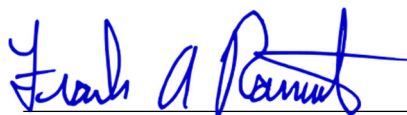
N/A

**Local Expenditure**

N/A

**Local Revenue**

N/A



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