



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: H. 3775 Introduced on February 16, 2017
Author: Knight
Subject: Birth Certificates of Adopted Persons
Requestor: House Medical, Military, Public, and Municipal Affairs
RFA Analyst(s): Stein
Impact Date: March 29, 2017

Estimate of Fiscal Impact

	FY 2017-18	FY 2018-19
State Expenditure		
General Fund	\$0	\$0
Other and Federal	See Below	See Below
Full-Time Equivalent Position(s)	See Below	0.00
State Revenue		
General Fund	\$0	\$0
Other and Federal	\$0	Undetermined
Local Expenditure	\$0	\$0
Local Revenue	\$0	\$0

Fiscal Impact Summary

This bill is expected to have a recurring \$126,283 expenditure impact on Other Funds for the salary and fringe benefits of two FTEs and their operating expenses. Salaries and fringe benefits for the two FTEs total \$93,083. The operating expenses are \$33,200. Non-recurring Other Fund expenditures are expected to total \$178,400 in the first calendar year of implementation for an electronic system to maintain the biological parent contact preference, a public awareness campaign, and special filing equipment. In sum, Other Fund expenditures of \$304,683 are expected the first calendar year and \$126,283 each fiscal year thereafter. The revenue impact on Other Funds is expected to be minimal, if any, in FY 2017-18, and is undetermined each year thereafter because the number of records requests cannot be estimated.

Explanation of Fiscal Impact

Introduced February 16, 2017

State Expenditure

This bill allows a person twenty-one years of age or older who was born in South Carolina and whose original birth certificate was removed from county files because of an adoption or paternity determination to receive an uncertified copy of that birth certificate and any evidence of adoption or paternity determination held with the original record. The same procedures, fees, and waiting times applicable to non-adopted persons seeking copies of their birth certificates apply to birth record requests authorized by this bill.

Along with the original birth records, an adoptee may obtain medical history data and contact information for the adoptee’s biological parent, if any has been provided. The Department of

Health and Environmental Control (DHEC) is directed to develop a medical history form and a contact preference form, which a biological parent may request from the State Registrar at the biological parent's option and at any time. DHEC must maintain completed forms in a sealed envelope with the original birth records and issue them to the adoptee when the original birth certificate is provided. The contact preference form contains the biological parent's preference about contact by the adoptee. A biological parent may indicate a preference for contact, contact through an intermediary, or not to be contacted. The biological parent may update either form or both forms. The forms are private communications from the biological parent to the adoptee, and only DHEC staff authorized to process applications for adoptees original birth records may process them. DHEC is required to conduct a public service campaign informing the public of the provisions of the bill, including the right of an adult adoptee to obtain a copy of their birth certificate and medical history, and the right of a biological parent to submit medical history information and complete a contact preference form. The bill is effective on January 1, 2018 for adoptions finalized after June 30, 2017, and on January 1, 2019 for adoptions finalized before July 1, 2017.

Department of Health and Environmental Control (DHEC). The department reports that the Division of Vital Records processes an average of 1,500 adoptions each year. The department estimates that the bill would require two additional program assistants to process the new forms, create sealed files, complete searches, and issue non-certified copies of birth certificates, medical history, and contact preference forms. Salaries and fringes are estimated at \$93,083 and operating expenses are estimated at \$33,200. In addition, DHEC estimates first year non-recurring costs to be \$178,400 for an electronic system maintaining the contact preference registry (\$100,000), radio announcements, print ads, and social media presentations as part of the public service campaign (\$70,400), and specialty filing equipment (\$8,000). In summary, first year expenditures are estimated at \$304,683. Recurring annual expenditures in succeeding fiscal years are estimated at \$126,283.

State Revenue

The bill makes the same fees paid by non-adopted South Carolina born citizens seeking copies of their birth certificates applicable to requests by adoptees for uncertified copies of their original birth certificate. The fee for issuing a non-adopted citizen a birth certificate is \$12 for the records search and one certified copy. A \$15 special filing fee is added when a certificate is amended.

The bill is effective on January 1, 2018 for adoptions finalized after June 30, 2017, but only adopted persons who are at least twenty-one years of age may request a copy of their original birth records. Because a person must be both 21 years of age or older and adopted after June 30 2017, the Revenue and Fiscal Affairs Office does not anticipate many requests for original birth records under this bill during FY 2017-18. Therefore, the revenue impact of this bill for FY 2017-18 is expected to be minimal, if any.

The bill is effective for all adoptions beginning January 1, 2019. DHEC indicates the agency processes an average of 1,500 adoption filings each year. Since all records for all years are available January 1, 2019, and a public awareness campaign is required, the number of requests could be significant initially and remain so for some time afterwards. There may also be

multiple requests by the same adoptees over the years, because biological parents may update medical history and change contact preference at any time. This ability may prompt some adoptees to make repeated requests for their records in hopes of new information. Regardless, demand for adoptee records is unknown now. Therefore, the amount of Other Fund revenue generated to support the program is undetermined for FY 2017-18 and each year thereafter.

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director