



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: H. 3020 Introduced on January 8, 2019
Author: McCravy
Subject: SC Fetal Heartbeat Protection from Abortion Act
Requestor: House Judiciary
RFA Analyst(s): Griffith and Gardner
Impact Date: April 4, 2019

Fiscal Impact Summary

This bill will have no expenditure impact on the General Fund, Federal Funds, or Other Funds because any additional expenses relating to the promulgation of the bill can be managed within existing appropriations of the Department of Health and Environmental Control (DHEC), the Commission on Prosecution Coordination, the Commission on Indigent Defense, and the Judicial Department.

Explanation of Fiscal Impact

Introduced on January 8, 2019

State Expenditure

This bill requires an abortion provider to test for a detectable fetal heartbeat before performing an abortion. If a fetal heartbeat is detected, an abortion will be prohibited unless a medical emergency exists, and the physician intending to perform the abortion must inform the pregnant woman in writing of the following:

- 1.) that a fetal heartbeat has been detected and
- 2.) the statistical probability of bringing the human fetus to term based on the gestational age of the fetus.

Department of Health and Environmental Control. The bill allows DHEC to promulgate regulations that specify the statistical probability of bringing an unborn human individual possessing a detectable heartbeat to term based on its gestational age. The agency indicates that any additional expenditures relating to promulgating regulations can be managed within its existing appropriations. Therefore, there is no impact to the General Fund, Federal Funds, or Other Funds.

Commission on Prosecution Coordination. The agency reports the implementation of this bill will be handled by the agency's existing personnel and will not result in any expenditure to the General Fund, Federal Funds, or Other Funds.

Commission on Indigent Defense. The agency reports the implementation of this bill will be handled by the agency's existing personnel and will not result in any expenditure to the General Fund, Federal Funds, or Other Funds.

Judicial Department. The bill would permit the Attorney General to bring a civil action under certain circumstances and would create a new civil cause of action for certain women who have

an abortion. The felonies created by this bill would be heard in general sessions court, and the civil actions in the court of common pleas. Since this bill would create new criminal offenses and new civil causes of action, there is no data upon which to predict the impact on the caseload in circuit court. The Judicial Department anticipates that any impact to the General Fund from the increased caseload would be managed within its existing appropriations.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director