



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: S. 1087 Introduced on February 6, 2020
Author: Cash
Subject: Interscholastic Activities
Requestor: Senate Education
RFA Analyst(s): Wren
Impact Date: March 17, 2020

Fiscal Impact Summary

This bill requires a student's biological sex to be the conclusive factor in determining whether the student may participate on a team competing in an interscholastic activity that is under the jurisdiction of the South Carolina High School League. The State Department of Education (SDE) expressed concern that this bill could jeopardize federal funding from the U.S. Department of Education. The U.S. Department of Education's Office for Civil Rights specifies that Title IX protects people from discrimination based on sex in education programs or activities that receive federal financial assistance. SDE indicates that if this bill causes the state to be in violation of the provisions of Title IX, the state would be at risk of losing approximately \$560,000,000 it receives annually from the federal government.

SDE surveyed the local school districts regarding the expenditure impact of this bill and received responses from seventeen districts. While the majority of the responding districts indicate that this bill will have no expenditure impact, one district indicates that this bill could increase expenses for legal costs if legal actions are taken against districts. Given the unknown number of legal actions that may be taken, the expenditure impact of this bill on local school districts is undetermined.

Explanation of Fiscal Impact

Introduced on February 6, 2020

State Expenditure

This bill requires a student's biological sex to be the conclusive factor in determining whether the student may participate on a team competing in an interscholastic activity that is under the jurisdiction of the South Carolina High School League. The student must produce a birth certificate to establish his biological sex upon request of the South Carolina High School League. The South Carolina High School League must not accept a birth certificate that has been revised or amended with respect to the student's biological sex.

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State Revenue

N/A

Local Expenditure

This bill requires a student's biological sex to be the conclusive factor in determining whether the student may participate on a team competing in an interscholastic activity that is under the jurisdiction of the South Carolina High School League. The student must produce a birth certificate to establish his biological sex upon request of the South Carolina High School League. The South Carolina High School League must not accept a birth certificate that has been revised or amended with respect to the student's biological sex.

SDE surveyed the local school districts regarding the expenditure impact of this bill and received responses from seventeen districts. Sixteen of the responding districts indicate that this bill will have no expenditure impact. The remaining one responding district indicates that this bill could increase expenses for legal costs if legal actions are taken against districts. Given the unknown number of legal actions that may be taken, the expenditure impact of this bill on local school districts is undetermined.

Local Revenue

N/A



Frank A. Rainwater, Executive Director