



**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:** H. 4019 Introduced on March 4, 2021  
**Author:** Crawford  
**Subject:** Infant Safe Haven  
**Requestor:** House Judiciary  
**RFA Analyst(s):** Payne and Gardner  
**Impact Date:** April 2, 2021

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### **Fiscal Impact Summary**

This bill will not impact expenditures of the Department of Social Services (DSS) or the Judicial Department. They anticipate any increase in the number of infants abandoned pursuant to the safe haven provision will be minimal, and any expenses will be managed using existing appropriations

### **Explanation of Fiscal Impact**

#### **Introduced on March 4, 2021**

##### **State Expenditure**

This bill amends the safe haven provision in Chapter 7, Title 63, the South Carolina Children's Code, by changing the definition of infant from a person not more than sixty days old, to a person not more than one year old. The safe haven provision designates locations at which a parent or designee may voluntarily abandon an infant, provided the infant is left in the physical custody of a staff member or employee of the safe haven. These locations include hospitals, law enforcement agencies, fire stations, EMS stations, or any staffed house of worship. Safe haven locations other than hospitals are required to take an infant left with them to a hospital within six hours. A hospital that receives an infant, must notify DSS by the close of business the following day, at which point DSS assumes legal custody of the infant. Further, a person following the safe haven requirements may not be prosecuted for any criminal offense.

**Department of Social Services.** DSS currently assumes custody of an infant abandoned pursuant to the safe haven provision. Since 2009, DSS has assumed custody of forty-four infants pursuant to the provision, or an average of approximately three infants per year. DSS indicates that expenses of caring for infants who come into custody by way of safe haven are not eligible for Title IV-E federal funding, thus must be state-funded. DSS anticipates that amending the age of an applicable infant from sixty days to one year may cause an increase in the number of infants for whom DSS assumes custody. While DSS is unable to estimate how many more infants may be abandoned pursuant to the provisions of this bill, they expect to assume the additional responsibilities with existing staff and resources. Therefore, this bill will not have a fiscal impact on the General Fund expenditures of DSS.

**Judicial Department.** This bill amends the safe haven provision to permit a person to abandon a child of up to one year in age at a safe haven location, which would impact family, general sessions, magistrate, and municipal courts. While there are no data on the number of filings, hearings, or trials that may result from the implementation of the bill, the department reports that during FY 2019-20, there were 2,311 filings related to child abandonment. The department believes that many of these prior filings would not be impacted by the passage of the bill. Further, the department intends to use existing General Fund resources to manage additional costs associated with any increase in caseloads. Therefore, this bill will not impact expenditures of the department.

**State Revenue**

N/A

**Local Expenditure**

N/A

**Local Revenue**

N/A



Frank A. Rainwater, Executive Director