



**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. 3686 Introduced on January 12, 2023  
**Author:** Bernstein  
**Subject:** Anti-semitism  
**Requestor:** House Judiciary  
**RFA Analyst(s):** Tipton  
**Impact Date:** February 14, 2023

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### **Fiscal Impact Summary**

This bill establishes the statutory definition of anti-Semitism to include the definition adopted on May 26, 2016, by the International Holocaust Remembrance Alliance (IHRA), contemporary examples of anti-Semitism identified by the IHRA, and does not include criticism of Israel similar to that leveled against any country. The bill further requires state training on issues related to discrimination, diversity, equity, inclusion, and anti-bias training to include this definition to familiarize state personnel and officials with anti-Semitism. The bill further states that courts or other relevant authorities must apply the same legal standard to an alleged act of anti-Semitism as applicable to similar claims of discrimination under State laws protecting civil rights.

This bill will have no expenditure impact on the Department of Administration (Admin) as compliance with this bill will be managed within existing resources. Further, this bill may increase circuit court caseloads, as well as the cost of training for Judicial staff. Judicial indicates that this expenditure increase will be managed within existing appropriations.

### **Explanation of Fiscal Impact**

#### **Introduced on January 12, 2023**

##### **State Expenditure**

This bill establishes the statutory definition of anti-Semitism to include the definition adopted on May 26, 2016, by the IHRA, contemporary examples of anti-Semitism identified by the IHRA, and does not include criticism of Israel similar to that leveled against any country. The bill states that nothing in the section may be construed to diminish or infringe upon rights protected by the First Amendment to the United States Constitution or conflict with any federal, state, or local discrimination laws.

**Department of Administration.** Under this bill, the definition of anti-Semitism must be included in state training on issues related to discrimination, diversity, equity, inclusion, and anti-bias training to familiarize state personnel and officials with anti-Semitism in all of its manifestations. Admin indicates that compliance with this provision will be managed with existing resources and will have no expenditure impact on the agency.

**Judicial.** This bill states that in reviewing, investigating, or deciding whether there has been a violation of any policy, law, or regulation prohibiting discriminatory acts, the State must take into consideration the definition of anti-Semitism for the purposes of determining whether the alleged act was motivated by anti-Semitic intent. Courts or other relevant authorities must apply the same legal standard as applicable to similar claims of discrimination under State laws protecting civil rights. Judicial indicates that this may increase circuit court caseloads, as well as the cost of training for Judicial staff. Judicial indicates that this expenditure increase will be managed within existing appropriations.

**State Revenue**

N/A

**Local Expenditure**

N/A

**Local Revenue**

N/A



Frank A. Rainwater, Executive Director