



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.

Bill Number:	H. 3457	Introduced on January 14, 2025
Subject:	Human Life Protection Act	
Requestor:	House Judiciary	
RFA Analyst(s):	Boggs and Gardner	
Impact Date:	March 14, 2025	

Fiscal Impact Summary

This bill, the Human Life Protection Act, states that, other than the exceptions provided in Section 44-41-640 for medical emergencies or to prevent the death of the pregnant woman, no person may knowingly administer to, prescribe for, deliver to, or sell to any pregnant woman any medicine, drug, or other substance with the specific intent to cause an abortion. Additionally, a person may not knowingly use or employ any instrument, device, means, or procedures upon a pregnant woman with the intent of causing an abortion. This bill states a person who violates these subsections or uses force or threat of force for the purpose of coercing an abortion is guilty of a felony and, upon conviction, must be fined \$10,000, imprisoned for not more than two years, or both. Further, this bill specifies exceptions for intrauterine devices, emergency contraceptive drugs designed to be taken within five days of unprotected sex, and cases of selective reduction when medically necessary to prevent substantial risk of death or substantial irreversible physical impairment of a major bodily function of another unborn child. Lastly, this bill repeals Sections 44-41-32, 44-41-33, 44-41-34, 44-41-650, and 44-41-660 relating to exceptions for abortions in the case of fatal fetal anomalies, rape, and incest and makes conforming changes.

The Department of Public Health (DPH), the Public Employee Benefit Authority (PEBA), the University of South Carolina (USC) School of Medicine, the Office of the Attorney General, and the Department of Juvenile Justice (DJJ) report this bill will have no expenditure impact on their operations.

This bill may result in an increase in the number of circuit court cases, and potentially the number of incarcerations, which may increase the workload of the court system and the Commission of Indigent Defense (CID), the Commission on Prosecution Coordination (CPC), the Department of Corrections (Corrections), and the Department of Probation, Parole and Pardon Services (PPP). Judicial indicates that the increase in the caseload in court is expected to be managed within existing appropriations. Additionally, the potential increase in expenses for each agency will depend upon the increase in the number of cases and number of incarcerations. These agencies indicate that if this bill results in a significant increase in the workload, then an increase in General Fund appropriations may be requested. For information, according to Corrections, in FY 2023-24, the annual total cost per inmate was \$40,429, of which \$36,553 was state funded.

Under this bill, abortions in cases of fatal fetal anomalies, rape, and incest would be illegal in South Carolina and no longer coverable by the Department of Health and Human Services (DHHS). DHHS anticipates that this bill will have minimal fiscal impact to the agency.

This bill may have a fiscal impact for the Medical University of South Carolina (MUSC). We have requested additional information and are working with the agency to clarify the fiscal impact.

The fiscal impact for the Department of Social Services (DSS) and the Department of Labor, Licensing, and Regulation (LLR) is pending, contingent upon a response from these agencies.

Explanation of Fiscal Impact

Introduced on January 14, 2025

State Expenditure

This bill states that, other than the exceptions in provided in Section 44-41-640 for medical emergencies or to prevent the death of the pregnant woman, no person may knowingly administer to, prescribe for, deliver to, or sell to any pregnant woman any medicine, drug, or other substance with the specific intent to cause an abortion. Additionally, a person may not knowingly use or employ any instrument, device, means, or procedures upon a pregnant woman with the intent of causing an abortion. Further, a person who violates these subsections or uses force or threat of force for the purpose of coercing an abortion is guilty of a felony and, upon conviction, must be fined \$10,000, imprisoned for not more than two years, or both. This bill specifies that this does not include intrauterine devices if not administered to cause or induce an abortion and emergency contraception drugs designed to be taken within five days of unprotected sex. Additionally, it is not a violation to perform or undergo assistive reproductive technology including, but not limited to, in vitro fertilization, within the accepted standards of care by the reproductive medical community. This bill also states, unless it is necessary within reasonable medical judgment to prevent a substantial risk of death or a substantial and irreversible physical impairment of a major bodily function of another unborn child, performing selective reduction, as defined in this bill, is also a violation.

Additionally, this bill states that in every civil proceeding, criminal proceeding or other action brought pursuant to this article, the court must rule whether the anonymity of any woman on whom an abortion had been performed or induced shall be preserved from public disclosure if the woman does not give consent to disclosure.

Lastly, this bill repeals Sections 44-41-32, 44-41-33, 44-41-34, 44-41-650, and 44-41-660 relating to exceptions for abortions in the case of fatal fetal anomalies, rape, and incest and makes conforming changes.

DPH, PEBA, the USC School of Medicine, the Office of the Attorney General, and DJJ report this bill will have no expenditure impact on their operations.

This bill may result in an increase in the number of circuit court cases, and potentially the number of incarcerations, which may increase the workload of the court system and CID, CPC, Corrections, and PPP. Judicial indicates that the increase in the caseload in court is expected to be managed within existing appropriations. Additionally, the potential increase in expenses for each agency will depend upon the increase in the number of cases and number of incarcerations. These agencies indicate that if this bill results in a significant increase in the workload, then an increase in General Fund appropriations may be requested. For information, according to Corrections, in FY 2023-24, the annual total cost per inmate was \$40,429, of which \$36,553 was state funded.

Department of Health and Human Services. Under this bill, abortions in cases of fatal fetal anomalies, rape, and incest would be illegal in South Carolina and no longer coverable by DHHS. DHHS anticipates that this bill will have minimal fiscal impact to the agency.

Medical University of South Carolina. This bill may have a fiscal impact for MUSC. We have requested additional information and are working with the agency to clarify the fiscal impact.

The fiscal impact for DSS and LLR is pending, contingent upon a response from the agencies.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director