



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. 3774	Introduced on January 16, 2025
Subject:	Workers Compensation	
Requestor:	House Judiciary	
RFA Analyst(s):	Vesely	
Impact Date:	January 29, 2026	

Fiscal Impact Summary

This bill modifies the required timing to bring an action against a third party to allow an injured employee to receive compensation provided in Title 42, Workers Compensation, and to enforce his rights against the third party. This bill also specifies that while a notice of commencement of an action must be provided to the WCC, employer, and carrier within 30 days thereafter, failure to provide the notice upon a form prescribed by the WCC does not constitute an election of remedy.

The WCC indicates that this bill would have no fiscal impact on the agency, as this does not impact processing times or the existing workflow for the agency, only for the claims procedure for stakeholders.

Explanation of Fiscal Impact

Introduced on January 16, 2025

State Expenditure

This bill modifies the required timing to bring an action against a third party to allow an injured employee to receive compensation provided in Title 42, Workers Compensation, and to enforce his rights against the third party. Currently, the action must be brought no later than one year after the carrier accepts liability for the payment of compensation. This bill specifies the action against the third party must be commenced no later than one year prior to the expiration of the time in which that action may be brought and provided the carrier has accepted liability. This bill also specifies that while a notice of commencement of an action must be provided to the WCC, employer, and carrier within 30 days thereafter, failure to provide the notice upon a form prescribed by the WCC does not constitute an election of remedy.

The WCC notes that this bill does not impact processing times or the existing workflow for the agency, only the claims procedure for stakeholders. Therefore, WCC anticipates this bill will have no fiscal impact on the agency. For reference, the WCC received 295 notice of third action forms (form S-2), in FY 2024-25.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director