



# 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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<b>Bill Number:</b>	H. 4262	Introduced on March 27, 2025
<b>Subject:</b>	Gene Therapies	
<b>Requestor:</b>	House Medical, Military, Public, and Municipal Affairs	
<b>RFA Analyst(s):</b>	Boggs	
<b>Impact Date:</b>	January 20, 2026	

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### Fiscal Impact Summary

This bill states that no healthcare professional practicing in South Carolina can administer a synthetic mRNA-based gene therapy product to any person in the state. Additionally, this bill defines synthetic mRNA-based gene therapy and lists exceptions. Further, this bill states that any intentional violation of this bill will result in the suspension of the healthcare professional's license by the applicable board for no less than one year. The applicable licensing board may also apply additional fines and penalties at the board's discretion. Each professional licensing board is required to report any violation of this bill to the Director of the Department of Public Health (DPH). DPH must keep a record of violations for no less than seven years.

DPH indicates they cannot quantify an estimated cost of this bill at this time as the reporting and enforcement responsibilities for the agency under this bill are unclear. Therefore, the fiscal impact of this bill on DPH is undetermined.

The Department of Labor, Licensing, and Regulation (LLR) oversees the professional licensing boards in South Carolina. LLR anticipates an increase in complaints against health care professionals for administering a synthetic MRNA-based gene therapy product. Since the number of increased complaints is unknown, the fiscal impact of this bill on LLR is undetermined.

Any increase in Other Funds revenue of LLR as a result of penalties and fines is undetermined. The amount of the penalties and fines is not specified in the bill and will also depend on the number of violations, which are also unknown.

### Explanation of Fiscal Impact

#### Introduced on March 27, 2025

##### State Expenditure

This bill states that no healthcare professional practicing in South Carolina can administer a synthetic mRNA-based gene therapy product to any person in the state. Additionally, this bill defines synthetic mRNA-based gene therapy and lists exceptions. Further, this bill states that any intentional violation of this bill will result in the suspension of the healthcare professional's license by the applicable board for no less than one year. The applicable licensing board may also apply additional fines and penalties at the board's discretion. Each professional licensing

board is required to report any violation of this bill to the Director of DPH. DPH must keep a record of violations for no less than seven years.

**Department of Public Health.** DPH indicates they cannot quantify an estimated cost of this bill at this time as the reporting and enforcement responsibilities for the agency under this bill are unclear. Therefore, the fiscal impact of this bill on DPH is undetermined.

**Department of Labor, Licensing, and Regulation.** LLR oversees the professional licensing boards in South Carolina. LLR anticipates an increase in complaints against health care professionals for administering a synthetic mRNA-based gene therapy product. Since the number of increased complaints is unknown, the fiscal impact of this bill on LLR is undetermined.

### **State Revenue**

This bill specifies that the applicable licensing board may apply penalties and fines at its discretion for violations of the bill.

Any increase in Other Funds revenue of LLR as a result of penalties and fines is undetermined. The amount of the penalties and fines is not specified in the bill and will also depend on the number of violations, which are also unknown.

### **Local Expenditure**

N/A

### **Local Revenue**

N/A



Frank A. Rainwater, Executive Director