



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. 4756 Introduced on January 13, 2026
Subject: South Carolina Student Physical Privacy Act
Requestor: House Judiciary
RFA Analyst(s): Bryant and Tipton
Impact Date: January 20, 2026

Fiscal Impact Summary

This bill enacts the South Carolina Student Physical Privacy Act. The bill specifies that a public school district or public institution of higher learning that violates any portion of this article must be penalized 25 percent of the funds appropriated by this article that are used to support the school district or institution's operations. The bill provides various measures to promote and ensure privacy among sexes using certain restrooms and changing facilities in public schools and public institutions of higher learning. The bill also creates private causes of action against public schools or public institutions of higher learning that violate the provisions of the bill.

The S.C. Department of Education (SCDE) indicates that this bill will have no expenditure impact since any expenses can be managed with existing resources.

This bill will have no expenditure impact on state agency schools. The Governor's School for Agriculture at John de la Howe indicates that this bill will have no expenditure impact since any expenses can be managed with existing appropriations. The Governor's School for the Arts and Humanities, the Governor's School for Science and Mathematics, the School for the Deaf and the Blind, and the Wil Lou Gray Opportunity School indicate that this bill will have no expenditure impact, as they are already in compliance with the provisions of the bill.

Based on responses received from the University of South Carolina (USC), Clemson University (Clemson), Coastal Carolina University (CCU), the College of Charleston (CofC), and Lander University (Lander), this bill is not expected to have an impact on State Institutions of Higher Learning (IHLs). Clemson further indicates that the university is already in compliance with the provisions of the bill, but that additional costs may be incurred for future legal action. However, the amount of any potential legal actions is currently unknown.

This bill may result in an increase in the number of civil cases heard in circuit court. However, the number of civil cases that will be filed as a result of the bill is unknown. Judicial anticipates that it will manage any increased expenditures related to the bill with its existing appropriations, but if the bill results in a significant increase in expenditures, Judicial will request an increase in General Fund appropriations.

The expenditure impact of this bill on the local school districts will vary. SCDE surveyed the seventy-two regular school districts and three charter school districts and received responses

from twenty districts. Seventeen of the responding districts indicate that there will be no fiscal impact. One district indicates that this bill will increase costs by an undetermined amount. This district reports that many of its schools utilize gymnasiums to host camps and provide sleeping areas for students of all genders. This district also reports that its wrestlers often utilize the same locker areas to change clothes. One district indicates that the bill will increase expenses by an amount up to \$40,000 to produce and install proper signage. This district also anticipates additional costs due to the need for staff training, training materials, and potential legal costs, which the district reports are currently unknown. One district indicates that expenses could be significant due to the potential need for facility modifications, signage, and privacy enhancements. This district reports that costs will vary depending on the scope of construction needed. This district further indicates that it anticipates costs due to staff training, which it reports can be managed with existing resources, and potential unknown legal costs.

While this bill specifies that a public school district or public institution of higher learning that violates any portion of this bill must be penalized 25 percent of the funds appropriated by this article that are used to support the school district or institution's operations, the bill does not appropriate funds. Therefore, it is unclear which funds will be subject to the penalty.

Explanation of Fiscal Impact

Introduced on January 13, 2026

State Expenditure

This bill enacts the South Carolina Student Physical Privacy Act. The bill specifies that a public school district or public institution of higher learning that violates any portion of this article must be penalized 25 percent of the funds appropriated by this article that are used to support the school district or institution's operations.

The bill requires public schools and public institutions of higher education to ensure that their multi-occupancy restrooms and changing facilities be designated for use only by members of one sex and be used only by that sex. Additionally, during any public school or public institution of higher learning-authorized activity or event where students share overnight lodging, no student may be required to share a sleeping quarter or multioccupancy restroom with a member of the opposite sex, unless such persons are members of the same family. The bill also requires public schools and public institutions of higher learning to provide separate, private areas designated for use by members of one sex in facilities or settings where a person may be in a state of undress in the presence of others. Further, a public institution of higher learning that offers housing for student residents must provide students the option to be housed only with persons of the same sex.

The bill also creates private causes of action against a public school or public institution of higher learning for an individual who, while accessing a restroom or changing facility designated for use by their sex, encounters a person of the opposite sex in that restroom or changing facility, and for an individual required by the public school or public institution of higher learning to share sleeping quarters with a person of the opposite sex.

S.C. Department of Education. SCDE indicates that this bill will have no expenditure impact since any expenses can be managed with existing resources.

State Agency Schools. This bill will have no expenditure impact on state agency schools. The Governor's School for Agriculture at John de la Howe indicates that this bill will have no expenditure impact since any expenses can be managed with existing appropriations. The Governor's School for the Arts and Humanities, the Governor's School for Science and Mathematics, and the School for the Deaf and the Blind, and the Wil Lou Gray Opportunity School indicate that this bill will have no expenditure impact, as they are already in compliance with the provisions of the bill.

State Institutions of Higher Learning. USC, Clemson, CCU, CofC, and Lander indicate that this bill will have no expenditure impact on their institution, and that any expenses will be managed with existing resources. Clemson further indicates that the university is already in compliance with the provisions of the bill, but that additional costs may be incurred for future legal action. However, the amount of any potential legal actions is currently unknown.

Judicial. This bill may result in an increase in the number of civil cases heard in circuit court. However, the number of civil cases that will be filed as a result of the bill is unknown. Judicial anticipates that it will manage any increased expenditures related to the bill with its existing appropriations, but if the bill results in a significant increase in expenditures, Judicial will request an increase in General Fund appropriations.

State Revenue

This bill enacts the South Carolina Student Physical Privacy Act. The bill specifies that a public school district or public institution of higher learning that violates any portion of this article must be penalized 25 percent of the funds appropriated by this article that are used to support the school district or institution's operations. However, this bill does not appropriate funds. Therefore, it is unclear which funds will be subject to the penalty.

Local Expenditure

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Frank A. Rainwater, Executive Director