



# 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. 4757 Prefiled on December 16, 2025  
**Subject:** Parental Rights  
**Requestor:** House Medical, Military, Public, and Municipal Affairs  
**RFA Analyst(s):** Bryant, Boggs, Gardner, Welsh  
**Impact Date:** January 9, 2026

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### Fiscal Impact Summary

This bill enacts the Parental Rights Act to affirm and enumerate the fundamental rights of parents to direct the upbringing, education, healthcare, and mental health of their children. The bill requires the State Board of Education to adopt minimum standards to implement parental rights, including parental rights policies for local education agencies (LEAs). The State Board of Education must also adopt a model parental rights policy that complies with these minimum standards. Each LEA governing board, in consultation with parents, teachers, and administrators, must develop and adopt a parental rights policy to promote the involvement of parents of children enrolled in the LEA. The bill also establishes administrative procedures for the investigation and resolution of alleged violations, as well as private causes of action upon exhaustion of administrative remedies. Additionally, the bill provides that the Attorney General may conduct independent investigations of alleged violations and bring actions to enforce the provisions of the bill. Further, the bill amends Section 63-5-340, relating to minor consent for health services, to expand requirements for parental consent for nonemergency medical treatment of minors and provide procedures and remedies for alleged violations. The bill also repeals Section 63-5-350, relating to health services provided to minors without parental consent, and Section 63-5-370, relating to consent not subject to disaffirmance.

This bill will have no expenditure impact on the S.C. Department of Education (SCDE). The department indicates that it will manage the provisions of the bill with existing staff and resources.

The overall expenditure impact of this bill on state agency schools will vary. The Governor's School for Agriculture at John de la Howe, the Governor's School for Arts and Humanities, and the Wil Lou Gray Opportunity School indicate that the bill will have no expenditure impact, as the provisions of the bill can be managed with existing appropriations. The Governor's School for Science and Mathematics reports that implementing the provisions of the bill will require staff time for policy development, training, documentation, complaint processing, and coordination with the State Board of Education. Additionally, the Governor's School for Science and Mathematics notes that the bill creates a new enforcement and litigation framework that could result in legal costs or damages, the costs of which will depend on future actions, complaints, or litigation, which cannot be predicted. Therefore, the overall cost for the Governor's School for Science and Mathematics is currently undetermined. The expenditure

impact of this bill on the School for the Deaf and the Blind is pending, contingent upon a response.

This bill requires the Attorney General to conduct independent investigations of alleged violations of parental rights and to bring actions of enforcement. Implementation of the bill will require the Office of the Attorney General to hire 2.0 FTEs, an attorney and a legal assistant, with salary and fringe of approximately \$230,500. Additionally, the agency anticipates recurring operating expenses to total \$30,000. Therefore, the bill will increase General Fund expenses of the Office of the Attorney General by approximately \$260,500 beginning in FY 2026-27.

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 Department of Juvenile Justice (DJJ) is pending, contingent upon a response.

This bill will have no expenditure impact on the Department of Social Services (DSS) or the Office of Mental Health (OMH) division of the Department of Behavioral Health and Developmental Disabilities (DBHDD), formerly known as the Department of Mental Health (DMH). The agencies indicate that they can manage the provisions of the bill with existing staff and resources.

The fiscal impact of this bill on the Department of Public Health (DPH) is pending as the agency is continuing to analyze the impact of the bill.

This bill will have no expenditure impact on the Department of Labor, Licensing and Regulation (LLR) or its boards as LLR anticipates any additional responsibilities will be managed within existing appropriations.

SCDE surveyed the seventy-two regular school districts and three charter school districts and received responses from eleven districts. Two of the responding districts indicate that the bill will have no expenditure impact. Two districts indicate that they will manage the provisions of the bill with existing staff and resources. Two districts report that the cost of the bill is currently undetermined. One of these districts reports that the complaint process may require twenty to thirty hours of labor per complaint and notes that the overall cost will depend upon the number of complaints received, who is qualified to act as the designee to hear complaints, and what that person's hourly pay rate will be, all of which are currently unknown. This district further notes the potential for legal costs if the cost of the lawsuit is not covered by the district's insurance provider. The other district reports that the fiscal impact of the bill will depend upon the policies established by the State Board of Education. Four districts indicate that the bill will increase expenses by an amount ranging from \$5,000 to \$21,200 due to legal costs, staff training, and administrative costs related to policy development and revision, increased parent

communications, and expanded documentation and record-keeping. The remaining responding district anticipates the need to hire a higher level administrator at a cost of \$150,000 per year to manage and track compliance. This district also reports that expenses could increase for legal costs, increases in insurance premiums, and a tracking system.

This bill may result in a change in the fines and fees collected in court. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, the Revenue and Fiscal Affairs Office (RFA) anticipates this bill may result in a change to General Fund, Other Funds, and local revenue due to the change in fines and fees collections in court.

## **Explanation of Fiscal Impact**

**Prefiled on December 16, 2025**

### **State Expenditure**

This bill enacts the Parental Rights Act to affirm and enumerate the fundamental rights of parents to direct the upbringing, education, healthcare, and mental health of their children. The bill requires the State Board of Education to adopt minimum standards to implement parental rights, including parental rights policies for LEAs. The State Board of Education must also adopt a model parental rights policy that complies with these minimum standards. The policy must be publicly available and posted on the department's website. Each LEA governing board, in consultation with parents, teachers, and administrators, must develop and adopt a parental rights policy to promote the involvement of parents of children enrolled in the LEA.

This bill provides that a parent alleging a violation of the provisions of the bill by an LEA may seek relief through administrative channels before the LEA governing body and the State Board of Education. Each LEA must establish a designee to receive and investigate complaints. If the LEA does not remedy the complaint through its final administrative action, the parent may appeal to the State Board of Education, which must review the matter under its established procedures and issue a written final decision within fifteen business days. After exhausting these administrative remedies, the parent may bring a private civil cause of action in circuit court against the LEA and may recover declaratory damages, injunctive relief, liquidated damages of \$5,000 per violation, and reasonable attorney's fees. The Attorney General may also conduct independent investigations of alleged violations and bring actions to enforce the provisions of the bill.

A parent alleging a violation by the State other than an LEA or a violation of Section 63-5-340 may seek relief through administrative channels through the Office of the Attorney General first. After receiving a complaint that appears on its face to allege a violation, the Attorney General may engage in any investigatory or remedial efforts that they consider appropriate. If the Attorney General declines to commence an enforcement action, a parent may bring a civil action in his or her own name against the State for declaratory relief or injunctive relief, including reasonable attorney's fees and costs. Compensatory damages may not exceed \$100,000.

Additionally, this bill amends Section 63-5-340, relating to minor consent for health services, to expand requirements for parental consent for nonemergency medical treatment of minors.

Currently, a minor who reaches the age of sixteen years may consent to any health services from a person authorized by law to provide the particular health service and the consent of no other person is necessary unless the service involves an operation. The bill also repeals Section 63-5-350, relating to health services provided to minors without parental consent. Currently, health services of any kind may be rendered to minors of any age without the consent of a parent or legal guardian when, in the judgment of a person authorized by law to render a particular health service, such services are deemed necessary unless the service involves an operation. Lastly, the bill repeals Section 63-5-370, which specifies that consent is not subject to disaffirmance because of minority when the minor reaches the age of majority.

**S.C. Department of Education.** This bill will have no expenditure impact on SCDE. The department indicates that it will manage the provisions of the bill with existing staff and resources.

**State Agency Schools.** The overall expenditure impact of this bill on state agency schools will vary. The Governor's School for Agriculture at John de la Howe, the Governor's School for Arts and Humanities, and the Wil Lou Gray Opportunity School indicate that the bill will have no expenditure impact, as the provisions of the bill can be managed with existing appropriations. The Governor's School for Science and Mathematics reports that implementing the provisions of the bill will require staff time for policy development, training, documentation, complaint processing, and coordination with the State Board of Education. Additionally, the Governor's School for Science and Mathematics notes that the bill creates a new enforcement and litigation framework that could result in legal costs or damages, the costs of which will depend on future actions, complaints, or litigation, which cannot be predicted. Therefore, the overall cost for the Governor's School for Science and Mathematics is currently undetermined. The expenditure impact of this bill on School for the Deaf and the Blind is pending, contingent upon a response.

**Office of the Attorney General.** This bill requires the Attorney General to conduct independent investigations of alleged violations of parental rights and to bring actions of enforcement. Implementation of the bill will require the Office of the Attorney General to hire 2.0 FTEs, an attorney and a legal assistant, with salary and fringe expenses of approximately \$230,500. Additionally, recurring operating expenses are expected to total \$30,000. Therefore, this bill is expected to increase General Fund expenses of the Office of the Attorney General by approximately \$260,500 beginning in FY 2026-27.

**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.

**Department of Juvenile Justice.** The expenditure impact of this bill on DJJ is pending, contingent upon a response.

**Department of Social Services.** This bill will have no expenditure impact on DSS. The agency indicates that it can manage the provisions of the bill with existing staff and resources.

**Department of Behavioral Health and Developmental Disabilities.** This bill will have no expenditure impact on the OMH division of DBHDD, formerly known as DMH. The agency indicates that it can manage the provisions of the bill with existing staff and resources.

**Department of Public Health.** The fiscal impact of this bill on DPH is pending as the agency is continuing to analyze the impact of the bill.

**Department of Labor, Licensing and Regulation.** This bill will have no expenditure impact on LLR or its boards as LLR anticipates any additional responsibilities will be managed within existing appropriations.

### **State Revenue**

This bill may result in a change in the fines and fees collected in court. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, RFA anticipates this bill may result in a change to General Fund and Other Funds revenue due to the change in fines and fees collections in court.

### **Local Expenditure**

This bill enacts the Parental Rights Act to affirm and enumerate the fundamental rights of parents to direct the upbringing, education, healthcare, and mental health of their children. Each LEA governing board, in consultation with parents, teachers, and administrators, must develop and adopt a parental rights policy to promote the involvement of parents of children enrolled in the LEA.

This bill provides that a parent alleging a violation of the provisions of the bill by an LEA may seek relief through administrative channels before the LEA governing body and the State Board of Education. Each LEA must establish a designee to receive and investigate complaints. If the LEA does not remedy the complaint through its final administrative action, the parent may appeal to the State Board of Education, which must review the matter under its established procedures and issue a written final decision within fifteen business days. After exhausting these administrative remedies, the parent may bring a private civil cause of action in circuit court against the LEA. A parent alleging a violation by the State other than an LEA or a violation of Section 63-5-340 may seek relief through administrative channels through the Office of the Attorney General first. After exhausting all administrative remedies, the parent may bring a private civil cause of action in circuit court alleging a violation.

SCDE surveyed the seventy-two regular school districts and three charter school districts and received responses from eleven districts. Two of the responding districts indicate that the bill will have no expenditure impact. Two districts indicate that they will manage the provisions of the bill with existing staff and resources. Two districts report that the cost of the bill is currently undetermined. One of these districts reports that the complaint process may require twenty to thirty hours of labor per complaint and notes that the overall cost will depend upon the number

of complaints received, who is qualified to act as the designee to hear complaints, and what that person's hourly pay rate will be, all of which are currently unknown. This district further notes the potential for legal costs if the cost of the lawsuit is not covered by the district's insurance provider. The other district reports that the fiscal impact of the bill will depend upon the policies established by the State Board of Education. Four districts indicate that the bill will increase expenses by an amount ranging from \$5,000 to \$21,200 due to legal costs, staff training, and administrative costs related to policy development and revision, increased parent communications, and expanded documentation and record-keeping. The remaining responding district anticipates the need to hire a higher level administrator at a cost of \$150,000 per year to manage and track compliance. This district also reports that expenses could increase for legal costs, increases in insurance premiums, and a tracking system.

### **Local Revenue**

This bill may result in a change in the fines and fees collected in court. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, RFA anticipates this bill may result in a change to local revenue due to the change in fines and fees collections in court.



Frank A. Rainwater, Executive Director