



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. 4965	Introduced on January 15, 2026
Subject:	Probate Judge Qualifications	
Requestor:	House Judiciary	
RFA Analyst(s):	Gardner	
Impact Date:	February 3, 2026	

Fiscal Impact Summary

This bill modifies the requirements for a probate court judge for counties with a population of more than 50,000. This includes that the judge must be at least twenty-five years old upon election and be a licensed attorney in good standing in the State or must, if he is not a licensed attorney in the State, hire a staff attorney within a reasonable period of time.

This bill will have no local expenditure impact, as Judicial anticipates that the modified qualification requirements for probate court judges elected after the effective date of this bill will not fiscally or operationally impact the probate courts.

Explanation of Fiscal Impact

Introduced on January 15, 2026

State Expenditure

N/A

State Revenue

N/A

Local Expenditure

This bill modifies requirements for a probate court judge for counties with a population of more than 50,000. This includes that the judge must be at least twenty-five years old upon election and be a licensed attorney in good standing in the State or must, if he is not a licensed attorney in the State, hire a staff attorney within a reasonable period of time. The bill specifies that these requirements do not apply to probate court judges who are serving in office on or before the effective date of this bill. This bill takes effect upon approval of the Governor.

Probate judges are elected by the qualified electors of the respective county for a term of four years. Currently, a probate judge must be a citizen of the United States who is at least twenty-one years old, is a qualified elector in the county in which he is a judge and has a four-year bachelor's degree or four years' experience as an employee in a probate judge's office. This bill modifies the requirements for probate judges serving counties with a population of more than 50,000.

This bill will have no local expenditure impact as Judicial anticipates that the modified qualification requirements for probate court judges elected after the effective date of this bill will not fiscally or operationally impact the probate courts.

For reference, the following table lists the counties with populations of more than 50,000 according to the United States Census Bureau’s 2020 decennial census.

County	2020 Population
Greenville	525,534
Richland	416,147
Charleston	408,235
Horry	351,029
Spartanburg	327,997
Lexington	293,991
York	282,090
Berkeley	229,861
Anderson	203,718
Beaufort	187,117
Aiken	168,808
Dorchester	161,540
Florence	137,059
Pickens	131,404
Sumter	105,556
Lancaster	96,016
Orangeburg	84,223
Oconee	78,607
Greenwood	69,351
Laurens	67,539
Kershaw	65,403
Georgetown	63,404
Darlington	62,905
Cherokee	56,216

Local Revenue

N/A

Frank A. Rainwater, Executive Director