



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE

STATEMENT OF ESTIMATED FISCAL IMPACT

WWW.RFA.SC.GOV • (803)734-3793

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: S. 0162 Introduced on January 14, 2025
Subject: Vital Statistics- Changes to Birth Certificates
Requestor: Senate Medical Affairs
RFA Analyst(s): Boggs
Impact Date: February 18, 2026

Fiscal Impact Summary

This bill defines the term “gender” and specifies that a gender change on a birth certificate may be made either to correct a clerical error in recording the gender or may be made due to an individual being born with a medically verifiable disorder of sex development, if made within twelve months of the date of birth.

Currently, a petition may be filed in the South Carolina family court of petitioner’s residence for an order establishing a record of the gender at birth and gender changes of the person whose birth is sought to be registered by way of a delayed Certificate of Birth established by court order.

The bill will have no expenditure impact on Judicial. Additionally, this bill will have no expenditure impact on the Department of Public Health (DPH), which houses the Division of Vital Records. Both anticipate the requirements of this bill can be managed within the normal course of business.

Explanation of Fiscal Impact

Introduced on January 14, 2025

State Expenditure

This bill defines the term “gender” and specifies that a gender change on a birth certificate may be made either to correct a clerical error in recording the gender or may be made due to an individual being born with a medically verifiable disorder of sex development, if made within twelve months of the date of birth.

Currently, a petition may be filed in the South Carolina family court of petitioner’s residence for an order establishing a record of the gender at birth and gender changes of the person whose birth is sought to be registered by way of a delayed Certificate of Birth established by court order. This bill may impact the number of persons who file such a petition. However, Judicial indicates that the requirements of this bill can be managed within the normal course of business. Also, DPH, which houses the Division of Vital Records, indicates that the requirements of this bill can be managed within the normal course of business for the agency. Therefore, this bill will have no expenditure impact on Judicial or DPH. For information, in FY 2024-25, 326 corrections of birth record actions and 1,601 name change actions were filed in South Carolina family

courts. While it is unknown if any of these cases involved changing a gender marker, they represent only 3.2 percent of family court cases filed during that time period.

State Revenue

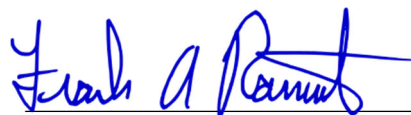
N/A

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director