



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. 0540 Introduced on April 3, 2025
Subject: Definition of Child Abuse
Requestor: Senate Family and Veterans Services
RFA Analyst(s): Boggs
Impact Date: February 24, 2026

Fiscal Impact Summary

This bill adds that raising a child consistent with the child's sex, seeking out and consenting to any lawful mental healthcare services for a child to assist the child in living consistent with the child's sex, or declining to consent to any physical or mental healthcare service for a child for the purpose of gender transition does not constitute child abuse, harm, or neglect. Additionally, the family court, when issuing or modifying a custody order, will not consider these actions by a parent to be contradictory to the best interest of the child's safety, health, and welfare.

Additionally, this bill prohibits the state government from taking any discriminatory action against a person that advertises, provides, or facilitates adoption or foster care in a manner consistent with a sincerely held religious belief. Further, this bill prevents the state government from taking any discriminatory action against a person who has received or seeks to receive custody of a foster or adoptive child based on that person raising the child consistent with a sincerely held religious belief or consistent with the child's sex. This bill allows right of actions for violations and lists potential recovery and relief for any person who successfully asserts a claim or defense under this act.

This bill will have no expenditure impact on the Department of Social Services (DSS). The agency anticipates that this bill will not create any direct violation of federal child welfare laws or cause DSS to function in way that will violate federal child welfare laws when providing child welfare services.

This bill may result in an increase in the number of civil cases which may increase the workload in family courts or the courts of common pleas. Judicial anticipates that the potential impact of the caseload in circuit court can be managed within existing appropriations. However, if the bill has an unanticipated significant impact on caseloads or downstream expenses, Judicial will request an increase in General Fund appropriations.

This bill may result in a change in the fines and fees collected in court due to an increase in the caseload in court. Court fines and fees are distributed to the General Fund, Other Funds, and local funds. Therefore, the Office of Revenue and Fiscal Affairs (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

Introduced on April 3, 2025

State Expenditure

This bill adds that raising a child consistent with the child's sex, seeking out and consenting to any lawful mental healthcare services for a child to assist the child in living consistent with the child's sex, or declining to consent to any physical or mental healthcare service for a child for the purpose of gender transition does not constitute child abuse, harm, or neglect. Additionally, the family court, when issuing or modifying a custody order, will not consider these actions by a parent to be contradictory to the best interest of the child's safety, health, and welfare.

Additionally, this bill prohibits the state government from taking any discriminatory action against a person that advertises, provides, or facilitates adoption or foster care in a manner consistent with a sincerely held religious belief. Further, this bill prevents the state government from taking any discriminatory action against a person who has received or seeks to receive custody of a foster or adoptive child based on that person raising the child consistent with a sincerely held religious belief or consistent with the child's sex. This bill allows right of actions for violations and lists potential recovery and relief for any person who successfully asserts a claim or defense under this act.

DSS anticipates that this bill will not create any direct violation of federal child welfare laws or cause DSS to function in way that will violate federal child welfare laws when providing child welfare services. Therefore, this bill will have no fiscal impact on the agency.

This bill may result in an increase in the number of civil cases which may increase the workload in family courts or the courts of common pleas. The increase in the number of cases is unknown as it depends on the number of people who are currently engaging in the conduct described and how vigorously the law will be enforced. Judicial anticipates that the potential impact of the caseload can be managed within existing appropriations. However, if the bill has an unanticipated significant impact on caseloads or downstream expenses, Judicial will request an increase in General Fund appropriations.

State Revenue

This bill may result in a change in the fines and fees collected in court due to an increase in the caseload 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

N/A

Local Revenue

This bill may result in a change in the fines and fees collected in court due to an increase in the caseload 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