



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: S. 0821 Introduced on January 15, 2026
Subject: Lawyer Advertising Unfair Practice
Requestor: Senate Labor, Commerce, and Industry
RFA Analyst(s): Vesely
Impact Date: February 24, 2026

Fiscal Impact Summary

This bill clarifies the current restrictions on legal services advertising by defining false, deceptive, and misleading advertising. Further, it requires that legal service advertisements display disclosures reflecting that a referenced result is not representative of all cases and that any lawsuit or claim against an insurance company or other third party is only possible based on a policy purchased by the individual or business. The Department of Consumer Affairs (Consumer Affairs) is directed to seek monetary and injunctive relief for any violations.

Consumer Affairs indicates that the volume of violations that may occur from provisions of this bill is expected to be small. Therefore, Consumer Affairs anticipates managing the impact of this bill with existing staff and resources.

Judicial notes that advertising conduct complaints were less than 1 percent of all cases opened by the Office of Disciplinary Counsel in FY 2024-25. Therefore, Judicial anticipates that this bill can be handled with existing staff and resources and will have no fiscal impact. However, if this bill were to substantially increase caseloads, then Judicial will request an increase in General Fund appropriations.

Explanation of Fiscal Impact

Introduced on January 15, 2026

State Expenditure

This bill clarifies the current restrictions on legal services advertising by defining false, deceptive, and misleading advertising. Further, it requires that legal service advertisements display disclosures reflecting that a referenced result is not representative of all cases and that any lawsuit or claim against an insurance company or other third party is only possible based on a policy purchased by the individual or business.

Consumer Affairs reports that West Virginia and Tennessee have similar laws. Based on discussions with these states, Consumer Affairs indicates that the volume of violations that may occur from provisions of this bill is small. Therefore, Consumer Affairs anticipates managing the impact of this bill with existing staff and resources.

Judicial notes that advertising conduct complaints were less than 1 percent of all cases opened by the Office of Disciplinary Counsel in FY 2024-25. Therefore, Judicial anticipates that this bill can be handled with existing staff and resources and will have no fiscal impact. However, if this bill were to substantially increase caseloads, then Judicial will request an increase in General Fund appropriations.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director