



**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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<b>Bill Number:</b>	H. 4559	Introduced on January 9, 2024
<b>Author:</b>	Bernstein	
<b>Subject:</b>	Probate Representative	
<b>Requestor:</b>	House Judiciary	
<b>RFA Analyst(s):</b>	Boggs	
<b>Impact Date:</b>	March 14, 2024	

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### **Fiscal Impact Summary**

This bill allows the estate of an individual, regardless of the date of death, to maintain appointment proceedings for the sole purpose of allowing a claim to be made pursuant to Section 804 of the “Sergeant First Class Heath Robinson Honoring Our Promise to Address Comprehensive Toxics Act of 2022.” Section 804 of this Act provides a federal cause of action relating to toxic exposure at Camp Lejeune, North Carolina. Currently, estate proceedings may not commence more than ten years after the decedent’s death.

Based on responses on similar legislation, the Department of Veterans’ Affairs (DVA) anticipates that this bill will have no fiscal impact on the agency as the court proceedings do not relate to the state level DVA. DVA would pull the final decision data off the federal database if it was a part of a service member’s record.

Additionally, based on responses on similar legislation, Judicial reports that implementation of the bill may result in an increase in probate court caseloads, which can be managed using existing staff and appropriations. Therefore, the bill will result in no local expenditure impact.

### **Explanation of Fiscal Impact**

#### **Introduced on January 9, 2024**

#### **State Expenditure**

This bill allows the estate of an individual, regardless of the date of death, to maintain appointment proceedings for the sole purpose of allowing a claim to be made pursuant to Section 804 of the “Sergeant First Class Heath Robinson Honoring Our Promise to Address Comprehensive Toxics Act of 2022.” Currently, estate proceedings may not commence more than ten years after the decedent’s death.

Based on responses on similar legislation, DVA anticipates that this bill will have no fiscal impact on the agency as the court proceedings do not relate to the state level DVA. DVA would pull the final decision data off the federal database if it was a part of a service member’s record.

#### **State Revenue**

N/A

**Local Expenditure**

Based on responses on similar legislation, Judicial reports that implementation of the bill may result in an increase in probate court caseloads, which can be managed using existing staff and appropriations. Therefore, the bill will result in no local expenditure impact.

**Local Revenue**

N/A



Frank A. Rainwater, Executive Director