



**SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE**  
**STATEMENT OF ESTIMATED FISCAL IMPACT**  
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**Bill Number:** S. 0302 Signed by Governor on May 17, 2018  
**Author:** Sheheen  
**Subject:** Physical Education  
**Requestor:** Senate  
**RFA Analyst(s):** Wren and Powell  
**Impact Date:** July 5, 2018

**Estimate of Fiscal Impact**

	<b>FY 2018-19</b>	<b>FY 2019-20</b>
<b>State Expenditure</b>		
General Fund	\$0	\$0
Other and Federal	\$0	\$0
Full-Time Equivalent Position(s)	0.00	0.00
<b>State Revenue</b>		
General Fund	\$0	\$0
Other and Federal	\$0	\$0
<b>Local Expenditure</b>	\$0	\$0
<b>Local Revenue</b>	\$0	\$0

**Fiscal Impact Summary**

The bill will have no expenditure impact on the Department of Education or local school districts since the activities introduced in this legislation can be conducted within the normal course of agency business. Any expenses associated with the addition of marching band instruction being accepted in lieu of physical education instruction or instruction on prescription opioid abuse prevention can be managed within current appropriations.

Any expenses incurred by the Commission on Higher Education (CHE) and the Department of Labor, Licensing, and Regulation (LLR) to develop and coordinate curriculum for the prescription and monitoring of controlled substances are expected to be minimal and can be managed within current appropriations.

**Explanation of Fiscal Impact**

**Signed by Governor on May 17, 2018**

**State Expenditure**

This bill adds marching band instruction to the list of activities that must be accepted in lieu of physical education instruction by school districts, provided the local school districts provide documentation to the Department of Education documenting that the marching band instruction meets certain criteria.

This bill requires public and private institutions of higher education offering degrees in a health care profession that allows students to prescribe controlled substances listed in Schedules II, III,

and IV to develop mandatory course work on the prescription and monitoring of controlled substances, including Schedule II drugs used to treat or manage pain.

The bill requires the board to develop coursework, which includes instruction on strategies to recognize and reduce the likelihood of patient addiction. In developing the curriculum, the institutions must coordinate with CHE, Board of Medical Examiners, Board of Dentistry, and Board of Nursing. Additionally, if deemed necessary through the cyclical review process, the Board of Education must include instruction on prescription opioid abuse prevention as part of the instruction on comprehensive health education. The instruction must emphasize the prescription drug epidemic and the connection between opioid abuse and addiction to other drugs, such as heroin. The Board of Education must complete this requirement prior to August 1, 2018, if deemed necessary.

**Commission on Higher Education and the Public Institutions of Higher Education.** CHE indicates that this bill may increase expenses by a minimal amount for the additional time to monitor future adjustments to the curriculum for certain controlled substances. However, any increase in expenses are expected to be managed within existing appropriations. Therefore, this bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds of the agency.

Based upon responses provided by CHE for the four public institutions of higher education that offer degrees subject to this bill, this bill will not impact expenses of the public institutions of higher education. The Medical University of South Carolina indicates that the bill will not impact expenses as the curriculum required by this legislation is currently provided. The University of South Carolina expects minimal additional expenses for potentially adjusting course requirements, which can be managed within current appropriations. Clemson University indicates the bill will increase expenses by a negligible amount that can be managed within existing appropriations. Francis Marion University indicates the bill will create no expenditure increase.

**Department of Education.** The department indicates that reviewing documentation from school districts on marching band instruction can be conducted in the normal course of agency business. As a result, Section 1 of the bill will have no expenditure impact on the department.

Additionally, the department indicates that Section 3 of this bill could add additional responsibilities in providing professional development materials and updates to the instructional unit on comprehensive health education to include instruction on prescription opioid abuse prevention. However, any expenses associated with this section of the bill are expected to be managed within existing appropriations. Therefore, this bill is not expected to have an expenditure impact on the General Fund, Other Funds, or Federal Funds of the department.

**Department of Labor, Licensing, and Regulation.** The department indicates that this bill may increase Other Funds expenses to coordinate with institutions of higher learning to develop curriculum related to the prescribing and monitoring of certain controlled substances. The amount of the increase is dependent upon the degree of cooperation requested by CHE. However, any expenses are expected to be minimal and can be absorbed within the agency's

Other Funds budget authorization. Therefore, this bill will have no expenditure impact on the General Fund, Other Funds, or Federal Funds.

**State Revenue**

N/A

**Local Expenditure**

This bill adds marching band instruction to the list of activities that must be accepted in lieu of physical education instruction by school districts, provided the marching band instruction meets certain criteria. Additionally, if deemed necessary through the cyclical review process, the bill requires the Board of Education to provide a list of instructional materials on prescription opioid abuse prevention to school districts. School districts must continue to adopt or develop curriculum locally.

The Department of Education indicates that the requirements set forth in this bill can be conducted in the normal course of school district business. Therefore, this bill will have no expenditure impact on school districts.

**Local Revenue**

N/A



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Frank A. Rainwater, Executive Director