**South Carolina General Assembly**

125th Session, 2023-2024

**H. 3363**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Pope and Wooten

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Introduced in the House on January 10, 2023

Currently residing in the House Committee on **Judiciary**

Summary: Sex offenders

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/8/2022 House Prefiled

 12/8/2022 House Referred to Committee on **Judiciary**

 1/10/2023 House Introduced and read first time (House Journal‑page 148)

 1/10/2023 House Referred to Committee on **Judiciary** (House Journal‑page 148)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3363&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[12/08/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/3363_20221208.docx)

A bill

to amend the South Carolina Code of Laws by adding Section 23‑3‑557 so as to PROVIDE THE CIRCUMSTANCE IN WHICH SEX OFFENDERS MAY HAVE CONTACT OR CUSTODY WITH THEIR OR ANY OTHER MINOR CHILDREN, TO PROVIDE OFFENDERS MUST REPORT THE NAMES AND ADDRESSES OF THEIR MINOR CHILDREN TO THE COURT, AND PROVIDE THE SOLICITOR MUST PROVIDE NONOFFENDING PARENTS INFORMATION ABOUT SAFEGUARDING MINORS FROM OFFENDING PARENTS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 7, Chapter 3, Title 23 of the S.C. Code is amended by adding:

 Section 23‑3‑557. (A) Notwithstanding another provision of law, after January 1, 2024, a person convicted of an offense that requires the person to register as a sex offender shall not have contact with his children who are less than eighteen years old.

 (B) The restriction imposed in subsection (A) may be lifted by the court upon the offender’s:

 (1) successful completion of at least six months of documented cognitive behavioral therapy, psychotherapy, and treatment for sexual deviancy for each clinical diagnoses the offender received from a forensic psychological evaluation, prior to sentencing, by a qualified sex offense therapist or someone who specialized in sex offense therapy; and

 (2) demonstration of a reputable forensic psychologist’s declaration that the offender’s prior clinical diagnoses and sexual deviancy are in remission.

 (C) Notwithstanding another provision of law, the court shall not grant the offender unsupervised visitation of a minor child as long as the offender is prohibited from having contact with his minor children pursuant to this section.

 (D) Prior to permitting an offender to have contact with his minor children, the court must ensure that appropriate safety planning has been completed according to United States Justice Department’s published guidelines so that a restricted graduated plan of reunification visitation is adhered to and supervised under appropriate clinical oversight to protect the mental and physical well being of the child.

 (E) Notwithstanding another provision of law, an offender shall not be granted custody of a minor child as long as the offender is prohibited from having contact with his minor children.

 (F) Once a person is convicted of an offense that requires the person to register as a sex offender, the person shall report to the court the names and known addresses of the person’s minor children.

 (G) After the conviction of a person required to register as a sex offender who is the parent of a minor child, the circuit solicitor shall send information to the nonoffending parent regarding the nonoffending parent’s legal rights, responsibilities, and ways to safeguard their children mentally and emotionally from the offending parent while the offending parent serves his probationary sentence or remains on the sex offender registry.

SECTION 2. This act takes effect on January 1, 2024.

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