~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

April 2, 2014

**S. 915**

Introduced by Senator Young

S. Printed 4/2/14--S.

Read the first time January 14, 2014.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 915) to amend Section 19‑1‑180, as amended, Code of Laws of South Carolina, 1976, relating to the admissibility of out-of-court statements made, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

Majority favorable. Minority unfavorable.

TOM YOUNG, JR. GERALD MALLOY

For Majority. For Minority.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

The South Carolina Department of Social Services estimates this bill will have no fiscal impact on the state general fund or on federal and/or other funds.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND SECTION 19‑1‑180, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ADMISSIBILITY OF OUT-OF-COURT STATEMENTS MADE BY CHILDREN, SO AS TO ADD AN EXCEPTION FOR STATEMENTS MADE TO EMPLOYEES OR AGENTS OF CHILDREN’S ADVOCACY CENTERS.

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

SECTION 1. Section 19‑1‑180(G) of the 1976 Code, as last amended by Act 481 of 1992, is further amended to read:

“(G) If the parents of the child are separated or divorced, the hearsay statement ~~shall be~~ is inadmissible if:

(1) one of the parents is the alleged perpetrator of the alleged abuse or neglect; and

(2) the allegation was made after the parties separated or divorced.

Notwithstanding this subsection, a statement alleging abuse or neglect made by a child to a law enforcement official, an officer of the court, a licensed family counselor or therapist, a physician or other health care provider, a teacher, a school counselor, a Department of Social Services staff member, ~~or to~~ a ~~child care~~ childcare worker in a regulated ~~child care~~ childcare facility, or an employee or agent of one of the Children’s Advocacy Centers in this State, as established by Article 3, Chapter 11, Title 63, is admissible ~~under~~ pursuant to this section.”

SECTION 2. This act takes effect upon approval by the Governor.

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