**South Carolina General Assembly**

118th Session, 2009-2010

**A202, R235, S1379**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Peeler, Campbell and O'Dell

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Introduced in the Senate on April 21, 2010

Introduced in the House on April 29, 2010

Passed by the General Assembly on May 19, 2010

Governor's Action: May 28, 2010, Vetoed

Legislative veto action(s): Veto overridden

Summary: Guardian Ad Litem program

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 4/21/2010 Senate Introduced and read first time [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C04-21-10.docx)‑3

 4/21/2010 Senate Referred to Committee on **Medical Affairs** [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C04-21-10.docx)‑3

 4/22/2010 Senate Committee report: Favorable **Medical Affairs** [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C04-22-10.docx)‑20

 4/27/2010 Senate Read second time [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C04-27-10.docx)‑20

 4/28/2010 Senate Read third time and sent to House [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C04-28-10.docx)‑33

 4/29/2010 House Introduced and read first time [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C04-29-10.docx)‑19

 4/29/2010 House Referred to Committee on **Invitations and Memorial Resolutions** [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C04-29-10.docx)‑20

 5/6/2010 House Committee report: Favorable **Invitations and Memorial Resolutions** [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C05-06-10.docx)‑10

 5/18/2010 House Read second time [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C05-18-10.docx)‑158

 5/19/2010 House Read third time and enrolled [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C05-19-10.docx)‑11

 5/25/2010 Ratified R 235

 5/28/2010 Vetoed by Governor

 6/2/2010 Senate Veto overridden by originating body Yeas‑35 Nays‑2 [SJ](file:///h%3A%5CSJ%20Archive%5C2010%5C06-02-10.docx)‑190

 6/3/2010 House Veto overridden Yeas‑98 Nays‑0 [HJ](file:///h%3A%5CHJ%20Archive%5C2010%5C06-03-10.docx)‑51

 6/11/2010 Effective date 06/03/10

 6/15/2010 Act No. 202

**VERSIONS OF THIS BILL**

[4/21/2010](file:///p%3A%5Cpprever%5C2009-10%5C1379_20100421.docx)

[4/22/2010](file:///p%3A%5Cpprever%5C2009-10%5C1379_20100422.docx)

[5/6/2010](file:///p%3A%5Cpprever%5C2009-10%5C1379_20100506.docx)

(A202, R235, S1379)

**AN ACT TO AMEND SECTION 63‑11‑500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA GUARDIAN AD LITEM PROGRAM, SO AS TO HONOR THE MEMORY OF CASS ELIAS MCCARTER BY NAMING THE PROGRAM THE CASS ELIAS MCCARTER GUARDIAN AD LITEM PROGRAM.**

Whereas, the South Carolina General Assembly finds that:

 (1) in 1984, a young woman from Columbia, South Carolina, Cass Elias McCarter, worked tirelessly in establishing the first state‑funded program;

 (2) the South Carolina Guardian ad Litem program was established in 1984 as one of the first state-funded programs in the nation. The program initially began in four judicial circuits in the State and has now expanded into a statewide program;

 (3) the statewide program utilizes volunteers as Guardians ad Litem in abuse and neglect proceedings. In 1988, the South Carolina General Assembly enacted legislation which governs the operation of the Guardian ad Litem program and establishes guidelines for the appointment and service of volunteers;

 (4) Cass Elias McCarter served on the South Carolina Children’s Committee and assisted the Joint Legislative Committee on Children with developing the training program for the Guardian ad Litem volunteers;

 (5) for sixteen years, Cass Elias McCarter devoted her life and energy to protecting South Carolina’s children, not only from abuse and neglect, but children also benefitted from her work and support on behalf of the Children’s Hospital and the Ronald McDonald House; and

 (6) on March 23, 2004, at the age of fifty, Cass Elias McCarter lost her life to a brain aneurism, leaving her husband, Nicky, and their two beautiful children, Lauren and Cole, to continue Cass’ work in protecting children from abuse and neglect. Now, therefore,

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

**Guardian ad Litem Program named**

SECTION 1. Section 63‑11‑500 of the 1976 Code is amended to read:

 “Section 63‑11‑500. (A) There is created the Cass Elias McCarter Guardian ad Litem Program in South Carolina. The program shall serve as a statewide system to provide training and supervision to volunteers who serve as court‑appointed special advocates for children in abuse and neglect proceedings within the family court, pursuant to Section 63‑7‑1620. This program must be administered by the Office of the Governor.

 (B) Notwithstanding the provisions of subsection (A), a county providing the guardian ad litem services set forth in subsection (A) prior to the effective date of this act may continue to provide such services, provided the county guardian ad litem program is a member of the National Court Appointed Special Advocate Association. However, a county guardian ad litem program operating pursuant to this subsection must comply with all state and federal laws, even if compliance with state or federal laws would result in the violation of a requirement for membership in the National Court Appointed Special Advocate Association.”

**Time effective**

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

Ratified the 25th day of May, 2010.

Vetoed by the Governor -- 5/28/2010.

Veto overridden by Senate -- 6/2/2010.

Veto overridden by House -- 6/3/2010.

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