**South Carolina General Assembly**

118th Session, 2009-2010

**S. 640**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Campsen

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Introduced in the Senate on March 31, 2009

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

Summary: Medical records

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/31/2009 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2009\03-31-09.docx)‑8

3/31/2009 Senate Referred to Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2009\03-31-09.docx)‑8

1/20/2010 Senate Referred to Subcommittee: Campbell (ch), Knotts, Campsen, Lourie

**VERSIONS OF THIS BILL**

[3/31/2009](file:///p:\pprever\2009-10\640_20090331.docx)

**A** **BILL**

TO AMEND SECTION 63‑5‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EQUAL RIGHTS AND DUTIES OF PARENTS REGARDING MINOR CHILDREN, SO AS TO PROVIDE THAT IN ADDITION TO EQUAL ACCESS AND EQUAL RIGHTS TO OBTAIN EDUCATIONAL AND MEDICAL RECORDS, A PARENT HAS EQUAL ACCESS AND EQUAL RIGHTS TO OBTAIN A MINOR CHILD’S COUNSELING AND THERAPY RECORDS.

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

SECTION 1. Section 63‑5‑30 of the 1976 Code, as added by Act 361 of 2008, is amended to read:

“Section 63‑5‑30. The mother and father are the joint natural guardians of their minor children and are equally charged with the welfare and education of their minor children and the care and management of the estates of their minor children; and the mother and father have equal power, rights, and duties, and neither parent has any right paramount to the right of the other concerning the custody of the minor or the control of the services or the earnings of the minor or any other matter affecting the minor. Each parent, whether the custodial or noncustodial parent of the child, has equal access and the same right to obtain all educational records, counseling and therapy records, and medical records of their minor children and the right to participate in their children’s school activities unless prohibited by order of the court. Neither parent shall forcibly take a child from the guardianship of the parent legally entitled to custody of the child.”

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

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