**South Carolina General Assembly**

120th Session, 2013-2014

**A74, R92, H3099**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Nanney and Long

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Introduced in the House on January 8, 2013

Introduced in the Senate on April 10, 2013

Passed by the General Assembly on June 5, 2013

Governor's Action: June 14, 2013, Signed

Summary: Child support

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/11/2012 House Prefiled

 12/11/2012 House Referred to Committee on **Judiciary**

 1/8/2013 House Introduced and read first time ([House Journal‑page 82](file:///h%3A%5CHJ%20Archive%5C2013%5C01-08-13.docx))

 1/8/2013 House Referred to Committee on **Judiciary** ([House Journal‑page 82](file:///h%3A%5CHJ%20Archive%5C2013%5C01-08-13.docx))

 3/20/2013 House Committee report: Favorable **Judiciary** ([House Journal‑page 45](file:///h%3A%5CHJ%20Archive%5C2013%5C03-20-13.docx))

 4/9/2013 House Read second time ([House Journal‑page 33](file:///h%3A%5CHJ%20Archive%5C2013%5C04-09-13.docx))

 4/9/2013 House Roll call Yeas‑113 Nays‑0 ([House Journal‑page 33](file:///h%3A%5CHJ%20Archive%5C2013%5C04-09-13.docx))

 4/10/2013 House Read third time and sent to Senate ([House Journal‑page 10](file:///h%3A%5CHJ%20Archive%5C2013%5C04-10-13.docx))

 4/10/2013 Senate Introduced and read first time ([Senate Journal‑page 11](file:///h%3A%5CSJ%20Archive%5C2013%5C04-10-13.docx))

 4/10/2013 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 11](file:///h%3A%5CSJ%20Archive%5C2013%5C04-10-13.docx))

 4/12/2013 Senate Referred to Subcommittee: Sheheen (ch), Corbin, McElveen, Shealy, Thurmond

 5/29/2013 Senate Committee report: Favorable **Judiciary** ([Senate Journal‑page 20](file:///h%3A%5CSJ%20Archive%5C2013%5C05-29-13.docx))

 6/4/2013 Senate Read second time ([Senate Journal‑page 75](file:///h%3A%5CSJ%20Archive%5C2013%5C06-04-13.docx))

 6/4/2013 Senate Roll call Ayes‑45 Nays‑0 ([Senate Journal‑page 75](file:///h%3A%5CSJ%20Archive%5C2013%5C06-04-13.docx))

 6/5/2013 Senate Read third time and enrolled ([Senate Journal‑page 13](file:///h%3A%5CSJ%20Archive%5C2013%5C06-05-13.docx))

 6/11/2013 Ratified R 92

 6/14/2013 Signed By Governor

 6/20/2013 Effective date 06/14/13

 6/24/2013 Act No. 74

**VERSIONS OF THIS BILL**

[12/11/2012](file:///p%3A%5Cpprever%5C2013-14%5C3099_20121211.docx)

[3/20/2013](file:///p%3A%5Cpprever%5C2013-14%5C3099_20130320.docx)

[5/29/2013](file:///p%3A%5Cpprever%5C2013-14%5C3099_20130529.docx)

(A74, R92, H3099)

**AN ACT TO AMEND SECTION 63‑17‑2310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENTITIES REQUIRED TO PROVIDE INFORMATION TO THE DEPARTMENT OF SOCIAL SERVICES FOR THE PURPOSE OF ESTABLISHING, MODIFYING, AND ENFORCING CHILD SUPPORT OBLIGATIONS, SO AS TO ALSO REQUIRE THESE ENTITIES TO PROVIDE THIS INFORMATION TO CLERKS OF COURT FOR THE SAME PURPOSE IN CASES NOT BEING ADMINISTERED PURSUANT TO TITLE IV‑D OF THE SOCIAL SECURITY ACT BY THE DEPARTMENT OF SOCIAL SERVICES; AND TO MAKE TECHNICAL CORRECTIONS.**

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

**Paternity and child support, clerk of court authority to attempt to locate and right to obtain information from organizations**

SECTION 1. Section 63‑17‑2310 of the 1976 Code is amended to read:

 “Section 63‑17‑2310. (A) The Department of Social Services shall attempt to locate individuals for the purposes of establishing paternity and establishing, modifying, and enforcing child support obligations. In all cases not being administered pursuant to Title IV‑D of the Social Security Act by the department, the clerk of court may attempt to locate individuals for the purpose of enforcing child support obligations. Notwithstanding any other provision of law making this information confidential, these entities in this State promptly shall provide to the department, its designee or a federally approved child support agency of another state, or to the clerk of court, information upon request of the department or another agency for the purpose of establishing paternity or establishing, modifying, or enforcing a support obligation or the clerk of court for the purpose of enforcing child support obligations:

 (1) All entities in the State including, but not limited to, for‑profit, nonprofit and governmental employers, and labor organizations shall provide the full name, social security number or the alien identification number assigned to a resident alien who does not have a social security number, date of birth, home address, wages or salary, existing or available medical, hospital, and dental insurance coverage, and number of dependents listed for tax purposes on all employees, contractors, and members of labor organizations.

 (2) All utility companies, including wire and nonwire telecommunication companies, cable television companies, and financial institutions, shall provide the full name, social security number or the alien identification number assigned to a resident alien who does not have a social security number, date of birth, home address, telephone number, account numbers, and other identifying data, including information on assets and liabilities, on all persons who maintain an account with that entity. For purposes of this item, a financial institution is defined as a federal, state, commercial, or savings bank, savings and loan association, cooperative bank, federal or state chartered credit union, benefit association, insurance company, safe deposit company, money market mutual fund, or investment company doing business in this State.

 (3) The appropriate state or local agency of this State shall provide access to information contained in these records:

 (a) vital statistics;

 (b) state and local tax and revenue records;

 (c) records concerning real and titled property;

 (d) records of occupational and professional licenses;

 (e) records concerning the ownership and control of corporations, partnerships, and other business entities;

 (f) employment security records;

 (g) records of motor vehicle departments; and

 (h) corrections records.

 A state or local agency, board, or commission that provides information pursuant to this subsection to the department, or to the clerk of court in non‑Title IV‑D cases, may not charge the department or the clerk of court a fee for providing the information; however, a commission that receives federal grants, the uses of which are restricted, may charge a fee for providing the information.

 (B) An entity that provides information pursuant to this section in good faith reliance upon certification by the department, or to the clerk of court in non‑Title IV‑D cases, that the information is needed to establish paternity or to establish, modify, or enforce a support obligation is not liable for damages resulting from the disclosure.

 (C) An entity that fails to provide the requested information within thirty days of the request may be subject to a civil penalty of one hundred dollars for each occurrence. Fines imposed pursuant to this subsection must be enforced as provided for in Section 63‑3‑530(A)(43) and distributed according to Section 63‑17‑520.”

**Time effective**

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

Ratified the 11th day of June, 2013.

Approved the 14th day of June, 2013.

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