**South Carolina General Assembly**

121st Session, 2015-2016

**A62, R95, H3548**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. J.E. Smith, Yow and Weeks

Document Path: l:\council\bills\ggs\22714zw15.docx

Companion/Similar bill(s): 363

Introduced in the House on February 10, 2015

Introduced in the Senate on April 29, 2015

Passed by the General Assembly on June 3, 2015

Governor's Action: June 4, 2015, Signed

Summary: Child abuse and neglect

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/10/2015 House Introduced and read first time ([House Journal‑page 10](file:///h%3A%5CHJ%20Archive%5C2015%5C02-10-15.docx))

 2/10/2015 House Referred to Committee on **Judiciary** ([House Journal‑page 10](file:///h%3A%5CHJ%20Archive%5C2015%5C02-10-15.docx))

 3/5/2015 House Member(s) request name added as sponsor: Yow

 4/22/2015 House Member(s) request name added as sponsor: Weeks

 4/22/2015 House Committee report: Favorable **Judiciary** ([House Journal‑page 11](file:///h%3A%5CHJ%20Archive%5C2015%5C04-22-15.docx))

 4/28/2015 House Read second time ([House Journal‑page 59](file:///h%3A%5CHJ%20Archive%5C2015%5C04-28-15.docx))

 4/28/2015 House Roll call Yeas‑105 Nays‑0 ([House Journal‑page 60](file:///h%3A%5CHJ%20Archive%5C2015%5C04-28-15.docx))

 4/29/2015 House Read third time and sent to Senate ([House Journal‑page 12](file:///h%3A%5CHJ%20Archive%5C2015%5C04-29-15.docx))

 4/29/2015 Senate Introduced and read first time ([Senate Journal‑page 11](file:///h%3A%5CSJ%20Archive%5C2015%5C04-29-15.docx))

 4/29/2015 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 11](file:///h%3A%5CSJ%20Archive%5C2015%5C04-29-15.docx))

 5/1/2015 Senate Referred to Subcommittee: Coleman (ch), Shealy, Turner

 5/27/2015 Senate Polled out of committee **Judiciary** ([Senate Journal‑page 35](file:///h%3A%5CSJ%20Archive%5C2015%5C05-27-15.docx))

 5/27/2015 Senate Committee report: Favorable **Judiciary** ([Senate Journal‑page 35](file:///h%3A%5CSJ%20Archive%5C2015%5C05-27-15.docx))

 6/2/2015 Senate Read second time ([Senate Journal‑page 40](file:///h%3A%5CSJ%20Archive%5C2015%5C06-02-15.docx))

 6/2/2015 Senate Roll call Ayes‑42 Nays‑0 ([Senate Journal‑page 40](file:///h%3A%5CSJ%20Archive%5C2015%5C06-02-15.docx))

 6/3/2015 Senate Read third time and enrolled ([Senate Journal‑page 18](file:///h%3A%5CSJ%20Archive%5C2015%5C06-03-15.docx))

 6/3/2015 Ratified R 95

 6/4/2015 Signed By Governor

 6/11/2015 Effective date 06/04/15

 6/12/2015 Act No. 62

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3548&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/10/2015](file:///p%3A%5Cpprever%5C2015-16%5C3548_20150210.docx)

[4/22/2015](file:///p%3A%5Cpprever%5C2015-16%5C3548_20150422.docx)

[4/23/2015](file:///p%3A%5Cpprever%5C2015-16%5C3548_20150423.docx)

[5/27/2015](file:///p%3A%5Cpprever%5C2015-16%5C3548_20150527.docx)

(A62, R95, H3548)

**AN ACT TO AMEND SECTION 63‑7‑320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NOTIFICATION AND TRANSFER OF REPORTS OF CHILD ABUSE OR NEGLECT, SO AS TO PROVIDE THAT IF THE ALLEGED ABUSED OR NEGLECTED CHILD IS A MEMBER OF AN ACTIVE DUTY MILITARY FAMILY, THE COUNTY DEPARTMENT OF SOCIAL SERVICES SHALL NOTIFY CERTAIN DESIGNATED MILITARY OFFICIALS AT THE INSTALLATION WHERE THE ACTIVE DUTY SERVICE MEMBER, WHO IS THE SPONSOR OF THE ALLEGED ABUSED OR NEGLECTED CHILD, IS ASSIGNED; TO AMEND SECTION 63‑7‑920, RELATING TO INVESTIGATIONS AND CASE DETERMINATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, SO AS TO PROVIDE THAT THE DEPARTMENT OR LAW ENFORCEMENT, OR BOTH, MAY COLLECT INFORMATION CONCERNING THE MILITARY AFFILIATION OF THE PERSON HAVING CUSTODY OR CONTROL OF THE CHILD SUBJECT TO AN INVESTIGATION AND MAY SHARE THIS INFORMATION WITH THE APPROPRIATE MILITARY AUTHORITIES; TO AMEND SECTION 63‑7‑1990, AS AMENDED, RELATING TO CONFIDENTIALITY AND RELEASE OF RECORDS AND INFORMATION, SO AS TO MAKE TECHNICAL CORRECTIONS AND TO AUTHORIZE THE DEPARTMENT OF SOCIAL SERVICES TO GRANT ACCESS TO THE RECORDS OF AN INDICATED CASE TO CERTAIN DESIGNATED MILITARY OFFICIALS AT THE INSTALLATION WHERE THE ACTIVE DUTY SERVICE MEMBER, WHO IS THE SPONSOR OF THE ALLEGED ABUSED OR NEGLECTED CHILD, IS ASSIGNED; AND TO AMEND SECTION 63‑11‑80, RELATING TO CONFIDENTIAL INFORMATION WITHIN CHILD WELFARE AGENCIES, SO AS TO PROVIDE THAT AN OFFICER, AGENT OR EMPLOYEE OF THE DEPARTMENT OR A CHILD WELFARE AGENCY SHALL NOT DISCLOSE, DIRECTLY OR INDIRECTLY, INFORMATION LEARNED ABOUT A CHILD, THE CHILD’S PARENTS OR RELATIVES, OR OTHER PERSONS HAVING CUSTODY OR CONTROL OF THE CHILD, EXCEPT IN CASES INVOLVING A CHILD IN THE CUSTODY OR CONTROL OF PERSONS WHO HAVE MILITARY AFFILIATION.**

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

**County Department of Social Services to notify designated military officials when an alleged abused or neglected child is an active duty military family member**

SECTION 1. Section 63‑7‑320 of the 1976 Code is amended by adding subsection (C) at the end to read:

 “(C) In the event the alleged abused or neglected child is a member of an active duty military family, concurrent with the transfer of the report, the county department of social services shall notify the designated authorities at the military installation where the active duty military sponsor is assigned, pursuant to the memorandum of understanding or agreement with the military installation’s command authority.”

**County Department of Social Services or law enforcement may collect and share information concerning military affiliation of person having custody of a child who is the subject of an investigation**

SECTION 2. Section 63‑7‑920 of the 1976 Code is amended by adding subsection (F) at the end to read:

 “(F) The department or law enforcement, or both, may collect information concerning the military affiliation of the person having custody or control of the child subject to an investigation and may share this information with the appropriate military authorities pursuant to Section 63‑11‑80.”

**Department of Social Services may grant access to certain records with designated military officials at the installation where the sponsor of an alleged abused or neglected child is assigned**

SECTION 3. Section 63‑7‑1990(B)(23) of the 1976 Code is amended to read:

 “(23) the Division of Guardian ad Litem, Office of the Governor, for purposes of certifying that no potential employee or volunteer is the subject of an indicated report or an affirmative determination; and

 (24) the designated authorities at the military installation where the active duty service member, who is the sponsor of the alleged abused or neglected child, is assigned. The authorities are designated in the memorandum of understanding or agreement between county protective services and the military installation’s command authority.”

**Prohibition against certain disclosures of information, exception**

SECTION 4. Section 63‑11‑80 of the 1976 Code is amended to read:

 “Section 63‑11‑80. An officer, agent or employee of the department or a child welfare agency shall not disclose, directly or indirectly, information learned about a child, the child’s parents or relatives, or other persons having custody or control of the child, except in cases involving a child in the custody or control of persons who have military affiliation.”

**Time effective**

SECTION 5. This act takes effect upon approval by the Governor.

Ratified the 3rd day of June, 2015.

Approved the 4th day of June, 2015.

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