**South Carolina General Assembly**

123rd Session, 2019-2020

**S. 211**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Young

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Introduced in the Senate on January 8, 2019

Introduced in the House on February 21, 2019

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

Summary: Authorized uses of unfounded child abuse and neglect reports

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/12/2018 Senate Prefiled

12/12/2018 Senate Referred to Committee on **General**

1/8/2019 Senate Introduced and read first time ([Senate Journal‑page 135](file:///h:\sj\20190108.docx))

1/8/2019 Senate Referred to Committee on **Family and Veterans' Services** ([Senate Journal‑page 135](file:///h:\sj\20190108.docx))

2/13/2019 Senate Committee report: Favorable **Family and Veterans' Services** ([Senate Journal‑page 13](file:///h:\sj\20190213.docx))

2/14/2019 Scrivener's error corrected

2/19/2019 Senate Read second time ([Senate Journal‑page 19](file:///h:\sj\20190219.docx))

2/19/2019 Senate Roll call Ayes‑45 Nays‑0 ([Senate Journal‑page 19](file:///h:\sj\20190219.docx))

2/20/2019 Senate Read third time and sent to House ([Senate Journal‑page 16](file:///h:\sj\20190220.docx))

2/21/2019 House Introduced and read first time ([House Journal‑page 131](file:///h:\hj\20190221.docx))

2/21/2019 House Referred to Committee on **Judiciary** ([House Journal‑page 131](file:///h:\hj\20190221.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=211&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/12/2018](file:///p:\pprever\2019-20\211_20181212.docx)

[2/13/2019](file:///p:\pprever\2019-20\211_20190213.docx)

[2/14/2019](file:///p:\pprever\2019-20\211_20190214.docx)

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Indicates New Matter

COMMITTEE REPORT

February 13, 2019

**S. 211**

Introduced by Senator Young

S. Printed 2/13/19--S. [SEC 2/14/19 11:20 AM]

Read the first time January 8, 2019.

**THE COMMITTEE ON FAMILY AND VETERANS' SERVICES**

To whom was referred a Bill (S. 211) to amend Section 63‑7‑940 of the 1976 Code, relating to authorized uses of unfounded child abuse and neglect reports, to authorize release of information about child fatalities, etc., respectfully

**REPORT:**

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

KATRINA F. SHEALY for Committee.

**A** **BILL**

TO AMEND SECTION 63‑7‑940 OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63‑7‑1990, AS AMENDED, RELATING TO CONFIDENTIALITY OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO AMEND SECTION 63-7-20, RELATING TO CHILD PROTECTION DEFINITIONS, TO PROVIDE A DEFINITION FOR “NEAR FATALITY”.

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

SECTION 1. Section 63‑7‑940(A) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“( ) the state director or the director’s designee publicly may disclose findings or information about an unfounded case of child abuse or neglect, the circumstances of which resulted in a child fatality or near fatality, provided that the disclosed information is limited to the following: (a) the cause and circumstances regarding the child fatality or near fatality; (b) the age and gender of the child; (c) information describing any previous reports of child abuse or neglect that are pertinent to the abuse or neglect that led to the child fatality or near fatality; (d) information describing any previous investigations pertinent to the abuse or neglect that led to the child fatality or near fatality; (e) the result of any such investigations; and (f) the services provided by the State and actions of the State on behalf of the child that are pertinent to the child abuse or neglect that led to the child fatality or near fatality. The department may delay public disclosure of findings or information pursuant to this item if the disclosure of the findings or information would threaten the safety or well‑being of a child or the child’s family, or when disclosure of the findings or information would impede a criminal investigation or endanger a reporter of abuse or neglect.”

SECTION 2. Section 63‑7‑1990(H) of the 1976 Code is amended to read:

“(H) The state director or the director’s designee is authorized to prepare and release reports of the results of the department’s investigations into the ~~deaths~~ fatalities or near fatalities of children, ~~in its custody or receiving child welfare services at the time of death~~ provided that the disclosed information is limited to the following: (a) the cause and circumstances regarding the child fatality or near fatality; (b) the age and gender of the child; (c) information describing any previous reports of child abuse or neglect that are pertinent to the abuse or neglect that led to the child fatality or near fatality; (d) information describing any previous investigations pertinent to the abuse or neglect that led to the child fatality or near fatality; (e) the result of any such investigations; and (f) the services provided by the State and actions of the State on behalf of the child that are pertinent to the child abuse or neglect that led to the child fatality or near fatality. The department may delay public disclosure of a report pursuant to this subsection if the disclosure of the report would threaten the safety or well‑being of a child or the child’s family, or when disclosure of the report would impede a criminal investigation or endanger a reporter of abuse or neglect.”

SECTION 3. Section 63‑7‑20 of the 1976 Code is amended by adding an appropriately numbered item to read:

“( ) ‘Near fatality’ means an act that, as certified by a physician, places a child in serious or critical condition.”

SECTION 4. This act takes effect upon approval by the Governor.

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