**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3502**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Bannister, Rutherford, Caskey, Erickson, Weeks, Davis and Mitchell

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Prefiled in the House on December 5, 2024

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

Summary: Department of Social Services

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/5/2024 House Prefiled

 12/5/2024 House Referred to Committee on **Judiciary**

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**VERSIONS OF THIS BILL**

[12/05/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3502_20241205.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 63‑7‑10 AND 63‑7‑1620, RELATING TO PRINCIPLES OF THE CHILD WELFARE SYSTEM AND LEGAL REPRESENTATION OF THE DEPARTMENT OF SOCIAL SERVICES IN CHILD ABUSE AND NEGLECT PROCEEDINGS, RESPECTIVELY, SO AS TO CLARIFY THAT LEGAL REPRESENTATIVES OF THE DEPARTMENT MUST ENSURE THAT CHILD WELFARE AND SAFETY ARE THE PREDOMINANT BASIS OF ANY RECOMMENDATIONS AND DECISIONS AND THAT LEGAL REPRESENTATIVES OF THE DEPARTMENT HAVE THE SOLE DISCRETION OVER DECISIONS PERTAINING TO CHILD WELFARE PROCEEDINGS.

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

SECTION 1. Section 63‑7‑10(A) of the S.C. Code is amended by adding:

 (14) Legal representatives of the Department of Social Services must ensure that the child’s welfare and safety are the predominant basis of all department recommendations and decisions pertaining to abuse and neglect proceedings.

SECTION 2. Section 63‑7‑1620(4) of the S.C. Code is amended to read:

 (4) The interests of the State and the Department of Social Services must be represented by the legal representatives of the Department of Social Services in any judicial proceeding, who shall ensure that the child’s welfare and safety are the predominant basis of any department recommendations and decisions and who shall have sole discretion on behalf of the department whether to file a child abuse or neglect petition in the family court. The attorney acting as the legal representative in a particular proceeding shall have sole discretion on behalf of the department over any decisions regarding the pursuit, settlement, or appeal of a pending action.

SECTION 3. This act takes effect upon approval by the Governor.

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