**South Carolina General Assembly**

124th Session, 2021-2022

**A224, R253, S243**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Young

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Introduced in the Senate on January 12, 2021

Introduced in the House on April 6, 2021

Last Amended on June 15, 2022

Passed by the General Assembly on June 15, 2022

Governor's Action: June 17, 2022, Signed

Summary: Confidential or unfounded child abuse and neglect reports

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 Senate Prefiled

12/9/2020 Senate Referred to Committee on **Family and Veterans' Services**

1/12/2021 Senate Introduced and read first time ([Senate Journal‑page 232](file:///h:\sj\20210112.docx))

1/12/2021 Senate Referred to Committee on **Family and Veterans' Services** ([Senate Journal‑page 232](file:///h:\sj\20210112.docx))

3/10/2021 Senate Committee report: Favorable with amendment **Family and Veterans' Services** ([Senate Journal‑page 7](file:///h:\sj\20210310.docx))

3/11/2021 Scrivener's error corrected

3/23/2021 Senate Committee Amendment Adopted ([Senate Journal‑page 18](file:///h:\sj\20210323.docx))

3/23/2021 Senate Amended ([Senate Journal‑page 18](file:///h:\sj\20210323.docx))

3/25/2021 Senate Read second time ([Senate Journal‑page 11](file:///h:\sj\20210325.docx))

3/25/2021 Senate Roll call Ayes‑43 Nays‑0 ([Senate Journal‑page 11](file:///h:\sj\20210325.docx))

3/30/2021 Senate Read third time and sent to House ([Senate Journal‑page 8](file:///h:\sj\20210330.docx))

4/6/2021 House Introduced and read first time ([House Journal‑page 126](file:///h:\hj\20210406.docx))

4/6/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 126](file:///h:\hj\20210406.docx))

5/3/2022 House Committee report: Favorable with amendment **Judiciary** ([House Journal‑page 77](file:///h:\hj\20220503.docx))

5/5/2022 House Debate adjourned ([House Journal‑page 90](file:///h:\hj\20220505.docx))

5/10/2022 House Amended ([House Journal‑page 46](file:///h:\hj\20220510.docx))

5/10/2022 House Read second time ([House Journal‑page 46](file:///h:\hj\20220510.docx))

5/10/2022 House Roll call Yeas‑102 Nays‑0 ([House Journal‑page 71](file:///h:\hj\20220510.docx))

5/11/2022 House Read third time and returned to Senate with amendments ([House Journal‑page 7](file:///h:\hj\20220511.docx))

5/12/2022 Senate Non‑concurrence in House amendment ([Senate Journal‑page 57](file:///h:\sj\20220512.docx))

5/12/2022 House House insists upon amendment and conference committee appointed Reps.  Bernstein, Collins, Davis ([House Journal‑page 122](file:///h:\hj\20220512.docx))

5/12/2022 Senate Conference committee appointed Young, Shealy, McElveen ([Senate Journal‑page 58](file:///h:\sj\20220512.docx))

6/15/2022 House Conference report received and adopted ([House Journal‑page 72](file:///h:\hj\20220615.docx))

6/15/2022 House Roll call Yeas‑108 Nays‑0 ([House Journal‑page 75](file:///h:\hj\20220615.docx))

6/15/2022 Senate Conference report received and adopted ([Senate Journal‑page 85](file:///h:\sj\20220615.docx))

6/15/2022 Senate Roll call Ayes‑42 Nays‑0 ([Senate Journal‑page 85](file:///h:\sj\20220615.docx))

6/15/2022 Senate Ordered enrolled for ratification ([Senate Journal‑page 89](file:///h:\sj\20220615.docx))

6/16/2022 Ratified R 253

6/17/2022 Signed By Governor

6/28/2022 Effective date 06/17/22

6/28/2022 Act No.  224

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**VERSIONS OF THIS BILL**

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[6/15/2022](file:///p:\pprever\2021-22\243_20220615.docx)

(A224, R253, S243)

**AN ACT TO AMEND SECTION 63‑7‑940, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, SO AS TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63‑7‑1990, AS AMENDED, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, SO AS TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO AMEND SECTION 63‑7‑20, AS AMENDED, RELATING TO CHILDREN’S CODE DEFINITIONAL TERMS, SO AS TO ADD A DEFINITION FOR “NEAR FATALITY”.**

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

**Use of unfounded child abuse or neglect case information**

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

“( )(a) the state director or the director’s designee, for the purpose of publicly disclosing findings or information about a prior unfounded case of child abuse or neglect in the preparation and release of reports pursuant to Section 63‑7‑1990(H), provided that the disclosed information is limited to the following:

(i) the cause and circumstances regarding the child fatality or near fatality;

(ii) the age and gender of the child;

(iii) 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;

(iv) information describing any previous investigations pertinent to the abuse or neglect that led to the child fatality or near fatality;

(v) the result of any such investigations; and

(vi) 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.

(b) 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 if disclosure of the findings or information would impede a criminal investigation or endanger a reporter of abuse or neglect.”

**Release of information regarding child fatalities or near fatalities**

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

“(H)(1) The state director or the director’s designee is authorized to prepare and release reports of cases of child abuse or neglect which have 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.

(2) 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 if disclosure of the report would impede a criminal investigation or endanger a reporter of abuse or neglect.”

**Definitions**

SECTION 3. Section 63‑7‑20 of the 1976 Code, as last amended by Act 24 of 2021, is further amended by adding an appropriately numbered item to read:

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

**Time effective**

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

Ratified the 16th day of June, 2022.

Approved the 17th day of June, 2022.

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