**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4173**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Bingham

Document Path: l:\council\bills\nbd\11638ac11.docx

Introduced in the House on May 3, 2011

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

Summary: Child abuse reported by an employee

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

5/3/2011 House Introduced and read first time ([House Journal‑page 10](file:///h:\hj%20archive\2011\05-03-11.docx))

5/3/2011 House Referred to Committee on **Judiciary** ([House Journal‑page 10](file:///h:\hj%20archive\2011\05-03-11.docx))

**VERSIONS OF THIS BILL**

[5/3/2011](file:///p:\pprever\2011-12\4173_20110503.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-7-315 SO AS TO PROHIBIT AN EMPLOYER FROM DISMISSING, DEMOTING, SUSPENDING, OR DISCIPLINING AN EMPLOYEE WHO REPORTS CHILD ABUSE OR NEGLECT, WHETHER REQUIRED OR PERMITTED TO REPORT; AND TO CREATE A CAUSE OF ACTION FOR REINSTATEMENT AND BACK PAY WHICH AN EMPLOYEE MAY BRING AGAINST AN EMPLOYER WHO VIOLATES THIS PROHIBITION.

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

SECTION 1. Subarticle 1, Article 3, Chapter 7, Title 63 of the 1976 Code is amended by adding:

“Section 63‑7‑315. (A) An employer must not dismiss, demote, suspend, or otherwise discipline or discriminate against an employee or prospective employee who is required or permitted to report pursuant to Section 63‑7‑310.

(B) A person who is adversely affected by conduct that is in violation of subsection (A) may bring a civil action for reinstatement and back pay. An action brought under this subsection may be commenced against any employer, including the State, a political subdivision of the State and any office, department, independent agency, authority, institution, association, or other body in state government. An action under this subsection must be commenced within three years after the cause of action arises.

(C) If judgment is rendered in favor of the plaintiff in an action described in subsection (B), the court also shall award a reasonable attorney’s fee in favor of the plaintiff against the defendant.”

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

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