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COMMITTEE REPORT

May 21, 2014

**H. 4408**

Introduced by Reps. Horne and Weeks

S. Printed 5/21/14--S. [SEC 5/22/14 12:34 PM]

Read the first time March 27, 2014.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 4408) to amend Section 63‑11‑1930, Code of Laws of South Carolina, 1976, relating to the State Child Fatality Advisory Committee, so as to add two members, etc., respectfully

**REPORT:**

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

Amend the bill, as and if amended, page 2, by striking lines 24 through 26 and inserting therein the following:

/ (15) a board certified or eligible for board certification child abuse pediatrician, appointed from recommendations submitted by the State Chapter of the American Academy of Pediatrics. /

Amend the bill further, as and if amended, page 3, by striking line 2 and inserting therein the following:

/ quarterly. A majority of the committee, excluding the committee members in subsections (A)(11) and (A)(12) or their designees, constitutes a quorum. /

Renumber sections to conform.

Amend title to conform.

KATRINA SHEALY for Committee.

**A** **BILL**

TO AMEND SECTION 63‑11‑1930, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE CHILD FATALITY ADVISORY COMMITTEE, SO AS TO ADD TWO MEMBERS TO THE COMMITTEE; TO AMEND SECTION 63‑11‑1940, RELATING TO THE DUTIES OF THE STATE LAW ENFORCEMENT DIVISION’S DEPARTMENT OF CHILD FATALITIES, SO AS TO DELETE CERTAIN PROVISIONS REQUIRING THE DEPARTMENT TO PROCEED WITH AN INVESTIGATION OR TO CLOSE A CASE; AND TO MAKE TECHNICAL CORRECTIONS.

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

SECTION 1. Section 63‑11‑1930 of the 1976 Code is amended to read:

“Section 63‑11‑1930. (A) There is created a ~~multi‑disciplinary~~ State Child Fatality Advisory Committee composed of:

(1) the director of the South Carolina Department of Social Services;

(2) the director of the South Carolina Department of Health and Environmental Control;

(3) the State Superintendent of Education;

(4) the executive director of the South Carolina Criminal Justice Academy;

(5) the chief of the State Law Enforcement Division;

(6) the director of the Department of Alcohol and Other Drug Abuse Services;

(7) the director of the State Department of Mental Health;

(8) the director of the Department of Disabilities and Special Needs;

(9) the director of the Department of Juvenile Justice;

(10) ~~an attorney with experience in prosecuting crimes against children~~

~~(11)~~ ~~a county coroner or medical examiner~~

~~(12)~~ ~~a pediatrician with experience in diagnosing and treating child abuse and neglect, appointed from recommendations submitted by the State Chapter of the American Academy of Pediatrics~~

~~(13)~~ ~~a solicitor;~~

~~(14)~~ ~~a forensic pathologist; and~~

~~(15)~~ ~~two members of the public at large, one of which must represent a private nonprofit organization that advocates children services~~ the Chief Executive Officer of the Children’s Trust of South Carolina;

(11) one senator to be appointed by the President Pro Tempore of the Senate;

(12) one representative to be appointed by the Speaker of the House of Representatives;.

(13) an attorney with experience in prosecuting crimes against children;

(14) a county coroner or medical examiner;

(15) a board certified or eligible for board certification child abuse pediatrician with experience in diagnosing and treating child abuse and neglect;

(16) a solicitor;

(17) a forensic pathologist; and

(18) two members of the public at large, one of whom shall represent a private nonprofit organization that advocates children services.

(B) Those ~~state agency~~ members in items (1)‑~~(9)~~(12) shall serve ex officio and may appoint a designee to serve in their place from their particular departments or agencies who ~~have~~ has administrative or program responsibilities for children and family services. The Governor shall appoint the remaining members, including the coroner or medical examiner and solicitor who shall serve ex officio~~, must be appointed by the Governor~~ for terms of four years and until their successors are appointed and qualify.

(C) ~~A~~ The committee shall elect a chairman and vice chairman ~~of the committee must be elected from among the members~~ by a majority vote of the membership, each for a term of two years.

(D) ~~Meetings of~~ The committee shall hold meetings at least quarterly. A majority of the committee constitutes a quorum.

(E) Each ex officio member shall provide sufficient staff and administrative support to carry out the responsibilities of this article.”

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

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