**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 3694**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Rose and Finlay

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Introduced in the House on January 22, 2019

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

Summary: Foster care review boards

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/22/2019 House Introduced and read first time ([House Journal‑page 27](file:///h:\hj\20190122.docx))

1/22/2019 House Referred to Committee on **Judiciary** ([House Journal‑page 27](file:///h:\hj\20190122.docx))

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**VERSIONS OF THIS BILL**

[1/22/2019](file:///p:\pprever\2019-20\3694_20190122.docx)

**A** **BILL**

TO AMEND SECTION 63‑11‑710, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LOCAL FOSTER CARE REVIEW BOARDS, SO AS TO REQUIRE THE DIRECTOR OF THE DIVISION FOR REVIEW OF THE FOSTER CARE OF CHILDREN TO APPOINT THE MEMBERS OF LOCAL BOARDS; TO CREATE A REGULATION REVIEW AND IMPROVEMENT TEAM TO REVIEW, AND MAKE RECOMMENDED CHANGES TO REGULATIONS OF THE DIVISION; AND TO REQUIRE THE DIVISION’S BOARD OF DIRECTORS TO PROMULGATE NEW REGULATIONS.

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

SECTION 1. Section 63‑11‑710 of the 1976 Code, as last amended by Act 175 of 2018, is further amended to read:

“Section 63‑11‑710. (A) There are created sixteen local boards for review of cases of children receiving foster care, one in each judicial circuit, composed of five members appointed by the ~~Governor upon recommendation of the legislative delegation of each county within the circuit~~ Director of the Division for Review of the Foster Care of Children for terms of four years and until their successors are appointed by the director of the division and qualify. ~~If the county legislative delegations within a judicial circuit have not recommended to the Governor a person to fill a review board vacancy within ninety days after being notified by certified mail that the vacancy exists, then the local review boards in the judicial circuit may recommend to the Governor someone to fill the vacancy.~~ The director of the division shall select members to serve on the local boards from a list of applications submitted to the division. The members of a local board shall reasonably represent the social, economic, racial, and ethnic demographics of the judicial circuit from which its members may be appointed. All local board members must be residents of the judicial circuit which they represent, except where a current or former member is substituting for an absent member. Local boards shall elect their chairman.

(B) If the board of directors determines that additional local review boards are necessary in a judicial circuit because of an excessively large case load for review or if the local board is no longer necessary because of a reduced case load, the board may create or dissolve local review boards by resolution, and the boards created have all authority and duties provided for the boards by the provisions of this article.

(C) ~~In Dorchester County, appointments made pursuant to this section are governed by the provisions of Act 512 of 1996.~~

~~(D)~~ ~~In Georgetown County, appointments made pursuant to this section are governed by the provisions of Act 515 of 1996.~~

~~(E)~~ In the Fifth Judicial Circuit, the members of one of the local review boards authorized pursuant to subsection (B) must be ~~appointed by the Kershaw County Legislative Delegation. The local review board appointed by the Kershaw County Legislative Delegation shall~~ composed of members who are residents of Kershaw County and be the board in the Fifth Judicial Circuit which primarily deals with cases in Kershaw County.”

SECTION 2. (A) There is created a Regulation Review and Improvement Team comprised of the following members:

(1) the Director of the State Board of Directors of the Division for Review of the Foster Care of Children, or a designee, who shall serve as co‑chair of the team;

(2) the Director of the Division for Review of the Foster Care of Children, who shall serve as co‑chair of the team;

(3) one division foster care coordinator, designated by the director of the division;

(4) at least four members of local boards for the review of cases of children receiving foster care, including at least one member representing a rural region of the State, one member representing the greater Midlands area, one member representing the greater Charleston area, and one member representing the greater Greenville‑Spartanburg area, all designated by the co‑chairs of the team; and

(5) one representative of the Department of Social Services, designated by the Director of the Department of Social Services.

(B) The Regulation Review and Improvement Team must be staffed by a representative of the Children’s Law Center. The team shall review the division’s regulations relating to the review of foster care of children in effect on the effective date of this act and provide the South Carolina Board of Directors for Review of the Foster Care of Children recommended changes to these regulations. By January 14, 2020, the South Carolina Board of Directors for Review of the Foster Care of Children shall submit to the General Assembly for review, pursuant to Section 63‑11‑700(E), any regulations required to implement the provisions of Article 7, Chapter 11, Title 63.

(C) The regulations of the Division for Review of the Foster Care of Children in effect on the effective date of this act remain in effect until appropriately changed pursuant to the process set forth in subsection (B).

(D) Members of the Regulation Review and Improvement Team shall serve without compensation, and are ineligible for the usual mileage, subsistence, and per diem allowed by law for members of state boards, committees, and commissions.

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

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