**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3654**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Calhoon, Bernstein and Spann-Wilder

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Introduced in the House on January 14, 2025

Introduced in the Senate on February 26, 2025

Currently residing in the Senate Committee on **Family and Veterans' Services**

Summary: Child Welfare

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/12/2024 House Prefiled

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

1/14/2025 House Introduced and read first time ([House Journal‑page 281](h:\hj\20250114.docx))

1/14/2025 House Referred to Committee on **Judiciary** ([House Journal‑page 281](h:\hj\20250114.docx))

2/19/2025 House Committee report: Favorable **Judiciary** ([House Journal‑page 3](h:\hj\20250219.docx))

2/25/2025 House Read second time ([House Journal‑page 30](h:\hj\20250225.docx))

2/25/2025 House Roll call Yeas-110 Nays-0 ([House Journal‑page 30](h:\hj\20250225.docx))

2/26/2025 House Read third time and sent to Senate ([House Journal‑page 27](h:\hj\20250226.docx))

2/26/2025 Senate Introduced and read first time ([Senate Journal‑page 11](h:\sj\20250226.docx))

2/26/2025 Senate Referred to Committee on **Family and Veterans' Services** ([Senate Journal‑page 11](h:\sj\20250226.docx))

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**VERSIONS OF THIS BILL**

[12/12/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3654_20241212.docx)

[02/19/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/3654_20250219.docx)

Indicates Matter Stricken

Indicates New Matter

Committee Report

February 19, 2025

H. 3654

Introduced by Reps. Calhoon, Bernstein and Spann-Wilder

S. Printed 2/19/25--H.

Read the first time January 14, 2025

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The committee on House Judiciary

To whom was referred a Bill (H. 3654) to amend the South Carolina Code of Laws by amending Sections 63‑7‑1990 and 63‑11‑550, both relating to confidentiality of child welfare records and information, etc., respectfully

Report:

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

W. NEWTON for Committee.

statement of estimated fiscal impact

Explanation of Fiscal Impact

State Expenditure

This bill states that DSS is authorized to grant access to case records to the Guardian ad Litem Division of DCA and the county Guardian ad Litem staff. Additionally, this bill allows the appointed guardian ad litem to share reports and information with the county’s Guardian ad Litem Program staff, the Guardian ad Litem Division, and the State Child Advocate. Further, this bill updates references to DCA to align with current agency practices. This bill also allows the Continuum of Care Division of DCA to submit its annual report in combination with DCA’s annual report.

This bill will have no expenditure impact for DCA as it aligns with current agency practices. Further, RFA anticipates that this bill will have no fiscal impact on DSS as we expect the provisions of the bill can be managed within the normal course of agency business.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 63‑7‑1990 AND 63‑11‑550, BOTH RELATING TO CONFIDENTIALITY OF CHILD WELFARE RECORDS AND INFORMATION, SO AS TO AUTHORIZE DISCLOSURE OF CASE RECORDS TO COUNTY AND STATE GUARDIAN AD LITEM PROGRAM STAFF AND TO THE STATE CHILD ADVOCATE; AND BY AMENDING SECTIONS 63‑11‑700, 63‑11‑1340, AND 63‑11‑1360, RELATING TO CERTAIN DIVISIONS OF THE DEPARTMENT OF CHILDREN’S ADVOCACY, SO AS TO UPDATE REFERENCES TO THE DEPARTMENT AND THESE DIVISIONS.

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

SECTION 1. Section 63‑7‑1990(B)(1) and (23) of the S.C. Code is amended to read:

(1) the Department of Children's Advocacy, including the Guardian ad Litem Division, and county Guardian ad Litem Program staff, when carrying out their duties;

(23) employees of the Division of Guardian ad Litem, for purposes of certifying that no potential employee or volunteer is the subject of an indicated report or an affirmative determination and when carrying out their duties;

SECTION 2. Section 63‑11‑550(A) of the S.C. Code is amended to read:

(A) All reports and information collected pursuant to this article maintained by the South Carolina Guardian ad Litem Program, or a county guardian ad litem program operating pursuant to Section 63‑11‑500(B) or by a guardian ad litem, are confidential except as provided for in Section 63‑7‑1990(C). A person who disseminates or permits the unauthorized dissemination of the information is guilty of contempt of court and, upon conviction, may be fined or imprisoned, or both, pursuant to Section 63‑3‑620. The appointed guardian ad litem may share reports and information collected with the county’s Guardian ad Litem Program staff, the Guardian ad Litem Division, and the State Child Advocate.

SECTION 3. Section 63‑11‑700(E) and (F) of the S.C. Code is amended to read:

(E) The boardDepartment of Children’s Advocacy, upon recommendation of the division director, shall promulgate regulations to carry out the provisions of this article. These regulations shall provide for and must be limited to procedures for: reviewing reports and other necessary information at state, county, and private agencies and facilities; scheduling of reviews and notification of interested parties; conducting local review board and board of directors’ meetings; disseminating local review board recommendations, including reporting to the appropriate family court judges the status of judicially approved treatment plans; participating and intervening in family court proceedings; and developing policies for summary review of children privately placed in privately‑owned facilities or group homes.

(F) The GovernorDepartment of Children’s Advocacy may employ a division director to serve at the Governor's pleasure who may be paid an annual salary to be determined by the Governor. The director may be removed pursuant to Section 1‑3‑240. The division director shall employ and staff as is necessary to carry out this article, and the staff must be compensated in an amount and in a manner as may be determined by the Governor funds for the division director, staff, and other purposes of this division must be provided for in the annual general appropriations act.

SECTION 4.A. Section 63‑11‑1340 of the S.C. Code is amended to read:

Section 63‑11‑1340. The State Child Advocate may appointDepartment of Children’s Advocacy may employ a Director of the Continuum of Care to serve at his pleasure. The director shall employand staff necessary to carry out the provisions of this article. The funds for the division director, staff, and other purposes of the Continuum of Care Division must be provided in the annual general appropriations act. The department, upon the recommendation of the division director, may promulgate regulations in accordance with this article and the provisions of the Administrative Procedures Act and formulate necessary policies and procedures of administration and operation to carry out effectively the objectives of this article.

B. Section 63‑11‑1360 of the S.C. Code is amended to read:

Section 63‑11‑1360. The Continuum of Care Division shall submit an, through the Department of Children’s Advocacy’s annual report to the Governor and General Assembly on, its activities and recommendations for changes and improvements in the delivery of services by public agencies serving children.

SECTION 5. This act takes effect upon approval by the Governor.

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