**South Carolina General Assembly**

126th Session, 2025-2026

**H. 4302**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. McCabe

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Introduced in the House on April 3, 2025

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

Summary: Foster Care

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/3/2025 House Introduced and read first time

4/3/2025 House Referred to Committee on **Judiciary**

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=4302&session=126&summary=B)  at the website

**VERSIONS OF THIS BILL**

[04/03/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/4302_20250403.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 63‑7‑2355 SO AS TO REQUIRE THAT CHILDREN IN FOSTER CARE WHO ARE PLACED IN RESIDENTIAL FACILITIES BE ASSIGNED TO SEX‑SPECIFIC FACILITIES BASED ON THE INDIVIDUAL’S ANATOMICAL SEX AT BIRTH AS RECOGNIZED ON THEIR ORIGINAL BIRTH CERTIFICATE.

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

SECTION 1. Article 5, Chapter 7, Title 63 of the S.C. Code is amended by adding:

Section 63‑7‑2355. (A) Any residential facility that receives state funding shall assign youth to housing units, sleeping quarters, and other sex‑specific facilities based strictly upon the individual’s anatomical sex at birth as recognized on their original birth certificate.

(B) No state funds shall be expended to any residential facility that fails to comply with this provision. The Department of Social Services is responsible for monitoring compliance and enforcing this requirement, including through the suspension or termination of funding for noncompliant facilities.

(C) Any residential facility found to be in violation of this section is ineligible for state funding for a period of no less than one fiscal year following the determination of noncompliance.

(D) This section does not prohibit the placement of youth in single‑occupancy accommodations or other arrangements deemed necessary for the safety and well‑being of the youth, provided the accommodations do not violate the anatomical sex‑based assignment requirement set forth in this section.

(E) For the purposes of this section, “residential facility” means a group home, residential treatment center, or other facility that, pursuant to a contract with or a license or permit issued by the department, provides residential services to children in the custody of the department. This includes, but is not limited to, child caring institutions, emergency shelters, group homes, wilderness therapeutic camps, and organizations with supervised individual living facilities.

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

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