CHAPTER 84

Sign Language Interpreters

**SECTION 40‑84‑110.** Definitions.

Section effective January 1, 2024.

 For the purposes of this chapter:

 (1) "Agency" means:

 (a) the departments of state government enumerated in Section 1‑30‑10;

 (b) the offices of all statewide constitutional officers;

 (c) the Judicial Department;

 (d) all public institutions of higher education;

 (e) the Commission on Higher Education;

 (f) police stations;

 (g) county and state detention centers and correctional facilities; and

 (h) any other board, commission, or council created by a statute of this State; but

 (i) excludes school districts, school boards, charter schools, and special schools.

 (2) "Deaf person" means a person who cannot use his hearing for communication purposes.

 (3) "Interpreting" is the act of conveying meaning between people who use signed and spoken languages, conveying all essential elements of meaning and intent and where such process is offered in exchange for remuneration.

 (4) "Recognized certification" means a certification in sign language interpretation as approved by the South Carolina Association of the Deaf, the South Carolina Registry of Interpreters for the Deaf, or the National Registry of Interpreters for the Deaf.

 (5) "Sign Language" or "American Sign Language" or "ASL" means a visual‑gestural language that incorporates facial grammatical markers, physical affect markers, spatial linguistic information, and fingerspelling, as well as signs made with the hands. ASL is a distinct language with its own grammar and syntax that is neither based on nor derived from a spoken language.

 (6) "South Carolina Association of the Deaf" or "association" or "SCAD" means the state chapter of the National Association of the Deaf acting as a consumer advocacy organization serving the deaf and hard‑of‑hearing population of South Carolina, as incorporated at the time of enactment, or any successor organization of it.

 (7) "South Carolina Registry of Interpreters for the Deaf" or "SCRID" means the state affiliate chapter of the Registry of Interpreters for the Deaf, serving as an interpreter‑advocacy and professional organization, as incorporated at the time of enactment, or its successor organization.

HISTORY: 2022 Act No. 188 (H.3795), Section 2, eff January 1, 2024.

**SECTION 40‑84‑120.** Application of chapter.

Section effective January 1, 2024.

 The requirements of this chapter apply to all:

 (1) agencies as defined by Section 40‑84‑110(1); and

 (2) hospitals and health care facilities regulated by the Department of Health and Environmental Control under Title 44.

HISTORY: 2022 Act No. 188 (H.3795), Section 2, eff January 1, 2024.

**SECTION 40‑84‑130.** Recognized certification required to provide interpreting services for agency or hospital; exceptions.

Section effective January 1, 2024.

 (A) A person only may provide interpreting services for an agency or hospital if he holds a recognized certification as defined in Section 40‑84‑110(4).

 (B) The provisions in this section do not apply to a person who is interpreting:

 (1) in an emergency situation where the parties determine that the delay to obtain a certified interpreter is likely to cause injury or loss; or

 (2) as part of a supervised internship or mentorship program if the individual is accompanied by an interpreter with recognized certification.

HISTORY: 2022 Act No. 188 (H.3795), Section 2, eff January 1, 2024.

**SECTION 40‑84‑140.** Conflicts with other minimum competency standards.

Section effective January 1, 2024.

 To the extent that the provisions of this chapter conflict with other minimum competency standards for a sign language interpreter required for use by an entity identified in Section 40‑84‑120, the more rigorous standards must prevail.

HISTORY: 2022 Act No. 188 (H.3795), Section 2, eff January 1, 2024.