

## Session 122 - (2017-2018)

**S\*0805 (Rat #0171, Act #0160 of 2018) General Bill, By Shealy, Sheheen, Young, McLeod, McElveen, Climer, Jackson, Turner, Davis, Talley, Verdin, Fanning, Nicholson, Gambrell and Rice**

**Similar (S 0794, S 0795, S 0797, S 0798, H 4674)**

**Summary:** Children's Advocacy Department

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 22 TO CHAPTER 11, TITLE 63 SO AS TO CREATE THE DEPARTMENT OF CHILDREN'S ADVOCACY, TO PROVIDE THAT THE DEPARTMENT SHALL BE HEADED BY THE STATE CHILD ADVOCATE, TO PROVIDE THAT THE DEPARTMENT SHALL BE COMPRISED OF DEPUTY CHILD ADVOCATES, INVESTIGATORS, AND OTHER STAFF TO BE EMPLOYED AS NECESSARY BY THE STATE CHILD ADVOCATE, TO PROVIDE THAT THE STATE CHILD ADVOCATE IS RESPONSIBLE FOR ENSURING THAT CHILDREN RECEIVE ADEQUATE PROTECTION AND CARE FROM SERVICES OR PROGRAMS OFFERED BY THE DEPARTMENT OF SOCIAL SERVICES, THE DEPARTMENT OF MENTAL HEALTH, THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, THE DEPARTMENT OF JUVENILE JUSTICE, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, THE JOHN DE LA HOWE SCHOOL, THE WIL LOU GRAY OPPORTUNITY SCHOOL, AND THE SCHOOL FOR THE DEAF AND THE BLIND, TO PROVIDE THAT RECORDS ACQUIRED BY THE DEPARTMENT ARE CONFIDENTIAL, TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE DEPARTMENT, INCLUDING THE RIGHT TO PERFORM AN INDEPENDENT INVESTIGATION OF A CRITICAL INCIDENT OR REVIEW A COMPLETED CRITICAL INCIDENT INVESTIGATION PERFORMED BY A STATE AGENCY, AND FOR OTHER PURPOSES; TO AMEND SECTION 63-7-360, RELATING TO MANDATORY REPORTING TO THE CORONER, SO AS TO REQUIRE THE MEDICAL EXAMINER OR CORONER TO REPORT SUSPECTED CHILD ABUSE OR NEGLECT FINDINGS TO THE DEPARTMENT OF CHILDREN'S ADVOCACY; TO AMEND SECTION 63-11-500, RELATING TO THE CASS ELIAS MCCARTER GUARDIAN AD LITEM PROGRAM, SO AS TO PROVIDE THAT THE PROGRAM IS ADMINISTERED BY THE DEPARTMENT OF CHILDREN'S ADVOCACY; TO AMEND SECTIONS 63-11-700 AND 63-11-730, BOTH RELATING TO THE DIVISION FOR REVIEW OF THE FOSTER CARE OF CHILDREN, SO AS TO PROVIDE THAT THE DIVISION IS WITHIN THE DEPARTMENT OF CHILDREN'S ADVOCACY; TO AMEND SECTIONS 63-11-1310, 63-11-1340, 63-11-1360, AND 63-11-1510, ALL RELATING TO THE CONTINUUM OF CARE FOR EMOTIONALLY DISTURBED CHILDREN, SO AS TO PROVIDE THAT THE CONTINUUM OF CARE IS WITHIN THE DEPARTMENT OF CHILDREN'S ADVOCACY; TO AMEND SECTION 63-11-1930, RELATING TO THE STATE CHILD FATALITY ADVISORY COMMITTEE, SO AS TO ADD THE STATE CHILD ADVOCATE AS A COMMITTEE MEMBER; TO AMEND SECTION 59-36-20, RELATING TO THE COMPREHENSIVE SYSTEM OF SPECIAL EDUCATION AND SERVICES, SO AS TO DELETE ANY REFERENCE TO THE CHILDREN'S CASE RESOLUTION SYSTEM; TO AMEND SECTION 63-7-1990, RELATING TO CONFIDENTIALITY OF CHILD ABUSE OR NEGLECT REPORTS, SO AS TO AUTHORIZE RELEASE OF INFORMATION TO THE DEPARTMENT OF CHILDREN'S ADVOCACY; BY ADDING SECTION 1-3-60 SO AS TO REQUIRE THE GOVERNOR TO DESIGNATE THE AGENCY TO ADMINISTER THE SOUTH CAROLINA DEVELOPMENTAL DISABILITIES COUNCIL; TO AMEND SECTION 1-11-10, RELATING TO THE DEPARTMENT OF ADMINISTRATION, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL ARTICLE 11 OF CHAPTER 11, TITLE 63 RELATING TO THE CHILDREN'S CASE RESOLUTION SYSTEM. - ratified title

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|----------|--------|----------------------------------------------------------------------------|
| 12/06/17 | Senate | Prefiled                                                                   |
| 12/06/17 | Senate | Referred to Committee on General                                           |
| 01/09/18 | Senate | Introduced and read first time (Senate Journal-page 59)                    |
| 01/09/18 | Senate | Referred to Committee on General (Senate Journal-page 59)                  |
| 02/14/18 | Senate | Committee report: Favorable with amendment General (Senate Journal-page 6) |
| 02/15/18 |        | Scrivener's error corrected                                                |
| 02/21/18 | Senate | Committee Amendment Adopted (Senate Journal-page 26)                       |
| 02/22/18 |        | Scrivener's error corrected                                                |
| 03/07/18 | Senate | Read second time (Senate Journal-page 58)                                  |
| 03/13/18 | Senate | Amended (Senate Journal-page 19)                                           |
| 03/13/18 | Senate | Read third time and sent to House                                          |
| 03/14/18 |        | Scrivener's error corrected                                                |
| 03/20/18 | House  | Introduced and read first time (House Journal-page 105)                    |
| 03/20/18 | House  | Referred to Committee on Judiciary (House Journal-page 105)                |
| 04/18/18 | House  | Committee report: Favorable Judiciary (House Journal-page 92)              |
| 04/24/18 | House  | Amended (House Journal-page 41)                                            |

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| 04/24/18 | House | Reconsidered (House Journal-page 44)                 |
| 04/24/18 | House | Read second time (House Journal-page 44)             |
| 04/24/18 | House | Roll call Yeas-107 Nays-0 (House Journal-page 46)    |
| 04/25/18 | House | Read third time and enrolled (House Journal-page 36) |
| 05/01/18 |       | Ratified R 171                                       |
| 05/03/18 |       | Signed By Governor                                   |
| 05/09/18 |       | Effective date 07/01/2019                            |
| 05/14/18 |       | Act No. 160                                          |