

## Session 114 - (2001-2002)

**S\*1208 (Rat #0437, Act #0325 of 2002) General Bill, By Senate Judiciary**

**Similar (H 4920)**

**Summary:** Stephanie's Law, reporting of child abuse and neglect cases; all cases to be classified

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING "STEPHANIE'S LAW" SO AS TO AMEND SECTION 20-7-490, AS AMENDED, RELATING TO DEFINITIONS CONCERNING "ABUSED OR NEGLECTED CHILD" AND CHILD ABUSE AND NEGLECT, SO AS TO DEFINE "CHILD ABUSE OR NEGLECT"; TO REVISE "HARM" AND TO INCLUDE INJURY TO EMOTIONAL FUNCTIONING AS MENTAL INJURY; TO AMEND SECTION 20-7-510, AS AMENDED, RELATING TO PERSONS REQUIRED OR PERMITTED TO REPORT CHILD ABUSE AND NEGLECT, SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO DETERMINE WHETHER PREVIOUS REPORTS HAVE BEEN MADE REGARDING A CHILD OR SUBJECT OF A REPORT AND TO REQUIRE THE DEPARTMENT TO MAINTAIN A RECORD OF INFORMATION RECEIVED THAT IS NOT INVESTIGATED; TO ADD SECTION 20-7-570 SO AS TO AUTHORIZE CIVIL ACTIONS AGAINST A PERSON WHO HAS REPORTED CHILD ABUSE OR NEGLECT MALICIOUSLY OR IN BAD FAITH AND TO PROVIDE FOR PUNITIVE DAMAGES, ATTORNEY'S FEES, AND COSTS; TO AMEND SECTION 20-7-650, AS AMENDED, RELATING TO THE DUTIES OF THE DEPARTMENT OF SOCIAL SERVICES REGARDING RECEIVING AND PROCESSING REPORTS OF CHILD ABUSE OR NEGLECT, SO AS TO REVISE THE CATEGORIZATION OF SUCH REPORTS, TO REVISE RECORD RETENTION PROCEDURES, AND TO REVISE CONFIDENTIALITY AND DISCLOSURE OF INFORMATION PROVISIONS; TO AMEND SECTION 20-7-655, AS AMENDED, RELATING TO THE CHILD PROTECTIVE SERVICES APPEAL PROCESS, SO AS TO ELIMINATE THE APPEALS COMMITTEE PROCESS, TO ESTABLISH THAT SUCH AN APPEAL IS A CONTESTED CASE, TO CLARIFY THAT THE PROCESS IS ONLY AVAILABLE TO PERSONS DETERMINED TO HAVE ABUSED OR NEGLECTED A CHILD AND IN CASES NOT BEING BROUGHT BEFORE THE FAMILY COURT FOR DISPOSITION; TO CLARIFY PROCEDURES FOR AN INTERIM REVIEW BEFORE A CONTESTED CASE HEARING, AND TO FURTHER SPECIFY REMOVING DATA FROM THE DEPARTMENT'S RECORDS AND THE CENTRAL REGISTRY WHEN ABUSE OR NEGLECT IS NOT FOUND; TO AMEND SECTION 20-7-670, AS AMENDED, RELATING TO JURISDICTION FOR RECEIVING AND INVESTIGATING INSTITUTIONAL CHILD ABUSE AND NEGLECT REPORTS, SO AS TO CLARIFY THAT THE DEPARTMENT OF SOCIAL SERVICES IS AUTHORIZED TO RECEIVE AND INVESTIGATE SUCH REPORTS IN CHILD DAYCARE FACILITIES AND TO FURTHER PROVIDE FOR THESE INVESTIGATIONS; AND TO AMEND SECTION 20-7-680, AS AMENDED, RELATING TO INFORMATION ON UNFOUNDED REPORTS IN THE CENTRAL REGISTRY OF CHILD ABUSE AND NEGLECT, SO AS TO PROHIBIT THE REGISTRY FROM CONTAINING ANY INFORMATION FROM UNFOUNDED REPORTS.-amended title

04/11/02	Senate	Introduced, read first time, placed on calendar without reference SJ-3
04/16/02	Senate	Read second time SJ-25
04/16/02	Senate	Ordered to third reading with notice of amendments SJ-25
04/17/02	Senate	Amended SJ-34
04/17/02	Senate	Read third time and sent to House SJ-34
04/18/02	Senate	Recalled from House SJ-3
04/18/02	Senate	Reconsidered SJ-3
04/18/02	Senate	Amended SJ-3
04/18/02	Senate	Read third time and sent to House SJ-3
04/23/02	House	Introduced and read first time HJ-8
04/23/02	House	Referred to Committee on Judiciary HJ-8
05/22/02	House	Committee report: Favorable with amendment Judiciary HJ-3
05/28/02	House	Requests for debate-Rep(s). Scott, Loftis, Davenport, Altman, Moody-Lawrence, Lloyd, Campsen, Martin, JH Neal, Easterday and Harrison HJ-49
05/28/02	House	Requests for debate removed-Rep(s). Harrison HJ-118
05/28/02	House	Requests for debate removed-Rep(s). Easterday, JH Neal and Moody-Lawrence HJ-118
05/28/02	House	Requests for debate removed-Rep(s). Martin and Scott HJ-119
05/28/02	House	Requests for debate removed-Rep(s). Lloyd HJ-120
05/29/02	House	Amended HJ-30
05/29/02	House	Read second time HJ-102
05/30/02	House	Reconsidered HJ-14
05/30/02	House	Debate adjourned HJ-16
05/30/02	House	Amended HJ-33

05/30/02	House	Read second time HJ-47
05/30/02	House	Unanimous consent for third reading on next legislative day HJ-47
05/31/02	House	Read third time and returned to Senate with amendments
06/04/02	Senate	House amendment amended SJ-28
06/04/02	Senate	Returned to House with amendments SJ-28
06/05/02	House	Concurred in Senate amendment and enrolled HJ-90
06/06/02		Ratified R 437
06/07/02		Signed By Governor
07/03/02		Effective date 06/07/02
07/03/02		Copies available
07/25/02		Act No. 325