

## Session 122 - (2017-2018)

### S 0291 General Bill, By Shealy

#### *Similar (H 3538)*

#### **Summary:** Persons with Disabilities Right to Parent Act

A BILL TO AMEND TITLE 63 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA CHILDREN'S CODE, BY ADDING CHAPTER 21, TO ENACT THE "PERSONS WITH DISABILITIES RIGHT TO PARENT ACT"; TO AMEND SECTION 63-7-720, RELATING TO EMERGENCY PROTECTIVE CUSTODY, TO PROVIDE THAT REASONABLE EFFORTS REQUIRED TO PREVENT THE REMOVAL OF A CHILD FROM A PARENT OR LEGAL GUARDIAN WHO HAS A DISABILITY MUST INCLUDE EFFORTS THAT ARE INDIVIDUALIZED AND BASED UPON A PARENT'S OR LEGAL GUARDIAN'S SPECIFIC DISABILITY, INCLUDING REFERRALS FOR ACCESS TO ADAPTIVE PARENTING EQUIPMENT, REFERRALS FOR INSTRUCTION ON ADAPTIVE PARENTING TECHNIQUES, AND REASONABLE ACCOMMODATIONS WITH REGARD TO ACCESSING SERVICES THAT ARE OTHERWISE MADE AVAILABLE TO A PARENT OR LEGAL GUARDIAN WHO DOES NOT HAVE A DISABILITY; TO AMEND SECTION 63-7-1640(A), RELATING TO FAMILY PRESERVATION, TO PROVIDE THAT REASONABLE EFFORTS REQUIRED TO PRESERVE OR REUNIFY A FAMILY IN WHICH THE PARENT OR LEGAL GUARDIAN HAS A DISABILITY MUST INCLUDE EFFORTS THAT ARE INDIVIDUALIZED AND BASED UPON A PARENT'S OR LEGAL GUARDIAN'S SPECIFIC DISABILITY, INCLUDING REFERRALS FOR ACCESS TO ADAPTIVE PARENTING EQUIPMENT, REFERRALS FOR INSTRUCTION ON ADAPTIVE PARENTING TECHNIQUES, AND REASONABLE ACCOMMODATIONS WITH REGARD TO ACCESSING SERVICES THAT ARE OTHERWISE MADE AVAILABLE TO A PARENT OR LEGAL GUARDIAN WHO DOES NOT HAVE A DISABILITY; TO AMEND SECTION 63-7-2570(6), RELATING TO GROUNDS FOR TERMINATION OF PARENTAL RIGHTS, TO PROVIDE THAT THE DEPARTMENT, AND ANY OTHER COVERED ENTITY, MUST NOT TERMINATE THE RIGHTS OF A PARENT OR LEGAL GUARDIAN WITH A DISABILITY SOLELY ON THE BASIS OF THE DISABILITY.

**01/24/17 Senate Introduced and read first time (Senate Journal-page 19)**

**01/24/17 Senate Referred to Committee on Judiciary (Senate Journal-page 19)**