**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3436**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Erickson, Stringer, Simrill, Duncan, Merrill, Brady, Sottile, Bowers, Bowen, Harrison, Herbkersman, Horne, Lowe, Millwood, Nanney, E.H. Pitts, M.A. Pitts, Scott, Umphlett, White and Whitmire

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Companion/Similar bill(s): 348

Introduced in the House on February 4, 2009

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

Summary: Childcare operators

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/4/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\02-04-09.docx)‑12

2/4/2009 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2009\02-04-09.docx)‑13

**VERSIONS OF THIS BILL**

[2/4/2009](file:///p:\pprever\2009-10\3436_20090204.docx)

**A** **BILL**

TO AMEND SECTION 16‑3‑95, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INFLICTION OF GREAT BODILY INJURY UPON A CHILD, SO AS TO PROVIDE A MINIMUM TERM OF IMPRISONMENT OF TWO YEARS FOR A PERSON WHO IS CONVICTED OF THIS OFFENSE AND WHO IS REGISTERED WITH OR LICENSED BY THE DEPARTMENT OF SOCIAL SERVICES PURSUANT TO CHILDCARE FACILITIES LICENSURE REQUIREMENTS, TO PROVIDE THAT NO PORTION OF THE SENTENCE MAY BE SUSPENDED; AND BY ADDING SECTION 63‑13‑825 SO AS TO REQUIRE FAMILY CHILDCARE OPERATORS AND CAREGIVERS ANNUALLY TO COMPLETE A MINIMUM OF TWO HOURS OF TRAINING APPROVED BY THE DEPARTMENT OF SOCIAL SERVICES.

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

SECTION 1. Section 16‑3‑95(A) of the 1976 Code is amended to read:

“(A)(1) It is unlawful to inflict great bodily injury upon a child. A person who violates this subsection is guilty of a felony and, upon conviction, must be imprisoned not more than twenty years.

(2) A person who is registered with or licensed by the Department of Social Services pursuant to Chapter 13, Title 63 or who is employed by or contracts with a person registered with or licensed by the department pursuant to Chapter 13, Title 63, who violates subsection (A)(1) is guilty of a felony and, upon conviction, must be imprisoned not less than two years and not more than twenty years. No part of a sentence imposed pursuant to this subsection may be suspended.”

SECTION 2. Article 7, Chapter 13, Title 63 of the 1976 Code is amended by adding:

“Section 63‑13‑825. (A) An operator of a family childcare home and any person employed by or who contracts with an operator of a family childcare home annually shall complete, and provide documentation to the Department of Social Services of, a minimum of two hours of training approved by the department.

(B) The department shall indicate on its website those family childcare homes that are and those that are not in compliance with this section and may include, but are not limited to, the amount of training the operator and other persons employed by or under contract with a family childcare home have reported to the department.”

SECTION 3. This act takes effect upon approval by the Governor.

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