**South Carolina General Assembly**

118th Session, 2009-2010

**H. 4811**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Nanney

Document Path: l:\council\bills\nbd\11999ac10.docx

Introduced in the House on April 13, 2010

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

Summary: DSS

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/13/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\04-13-10.docx)‑22

4/13/2010 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2010\04-13-10.docx)‑22

**VERSIONS OF THIS BILL**

[4/13/2010](file:///p:\pprever\2009-10\4811_20100413.docx)

**A** **BILL**

TO AMEND SECTION 63‑17‑2310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENTITIES REQUIRED TO PROVIDE INFORMATION TO THE DEPARTMENT OF SOCIAL SERVICES FOR THE PURPOSE OF ESTABLISHING, MODIFYING, AND ENFORCING CHILD SUPPORT OBLIGATIONS, SO AS TO ALSO REQUIRE THESE ENTITIES TO PROVIDE THIS INFORMATION TO CLERKS OF COURT FOR THE SAME PURPOSE IN CASES NOT BEING ADMINISTERED PURSUANT TO TITLE IV‑D OF THE SOCIAL SECURITY ACT BY THE DEPARTMENT OF SOCIAL SERVICES.

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

SECTION 1. Section 63‑17‑2310, as added by Act 361 of 2008, is amended to read:

“Section 63‑17‑2310. (A) The Department of Social Services shall attempt to locate individuals for the purposes of establishing paternity ~~or~~ and establishing, modifying, ~~or~~ and enforcing ~~a~~ child support ~~obligation~~ obligations. Notwithstanding any other provision of law making this information confidential, ~~the following~~ entities delineated in subsection (B) in ~~the~~ this State shall provide promptly to the department, its designee, or a federally approved child support agency of another state, ~~the following~~ information specified in subsection (B), upon request by the department or other agency for the purpose of establishing paternity or establishing, modifying, or enforcing a support obligation.

(B) In all cases not being administered pursuant to Title IV‑D of the Social Security Act by the Department of Social Services, the clerk of court shall attempt to locate individuals for the purpose of establishing, modifying, and enforcing child support obligations. Notwithstanding any other provision of law making this information confidential, the following entities in this State shall provide promptly to the Department of Social Services, in accordance with subsection (A), or the office of the clerk of court, upon its request, the following information, for the purpose of establishing, modifying, and enforcing a support obligation:

(1) All entities in the State including, but not limited to, for‑profit, nonprofit and governmental employers, and labor organizations shall provide the full name, social security number~~,~~ or the alien identification number assigned to a resident alien who does not have a social security number, date of birth, home address, wages or salary, existing or available medical, hospital, and dental insurance coverage, and number of dependents listed for tax purposes on all employees, contractors, and members of labor organizations.

(2) All utility companies, including wire and nonwire telecommunication companies, cable television companies, and financial institutions, shall provide the full name, social security number~~,~~ or the alien identification number assigned to a resident alien who does not have a social security number, date of birth, home address, telephone number, account numbers, and other identifying data, including information on assets and liabilities, on all persons who maintain an account with that entity. For purposes of this item, a financial institution is defined as a federal, state, commercial, or savings bank, savings and loan association, cooperative bank, federal~~,~~ or state chartered credit union, benefit association, insurance company, safe deposit company, money market mutual fund, or investment company doing business in this State.

(3) A state or local agency of this State shall provide access to information contained in these records:

(a) vital statistics;

(b) state and local tax and revenue records;

(c) records concerning real and titled property;

(d) records of occupational and professional licenses;

(e) records concerning the ownership and control of corporations, partnerships, and other business entities;

(f) employment security records;

(g) records of motor vehicle departments; and

(h) corrections records.

A state or local agency, board, or commission ~~which~~ that provides this information to the department, or the clerk of court in non‑Title IV‑D cases, may not charge the department or the clerk of court a fee for providing the information; however, a commission that receives federal grants, the use of which are restricted, may charge a fee for providing the information.

~~(B)~~(C) An entity that provides information pursuant to this section in good faith reliance upon certification by the department, or the clerk of court in non‑Title IV‑D cases, that the information is needed to establish paternity or to establish, modify, or enforce a support obligation is not liable for damages resulting from the disclosure.

~~(C)~~(D) An entity that fails to provide the requested information within thirty days of the request may be subject to a civil penalty of one hundred dollars for each occurrence. Fines imposed pursuant to this subsection must be enforced as provided for in Section 63‑3‑530(43) and distributed according to Section 63‑17‑520.”

SECTION 2. This act takes effect upon approval by the Governor.

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