**South Carolina General Assembly**

120th Session, 2013-2014

**A270, R299, H4348**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Lucas, Clemmons, Southard, Douglas, Allison, Taylor, Felder, Loftis, W.J. McLeod, Pitts, D.C. Moss and Bales

Document Path: l:\council\bills\ggs\22577vr14.docx

Introduced in the House on January 14, 2014

Introduced in the Senate on April 15, 2014

Passed by the General Assembly on June 4, 2014

Governor's Action: June 9, 2014, Signed

Summary: Child visitation

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/3/2013 House Prefiled

 12/3/2013 House Referred to Committee on **Judiciary**

 1/14/2014 House Introduced and read first time ([House Journal‑page 42](file:///H%3A%5CHJ%20Archive%5C2014%5C01-14-14.docx))

 1/14/2014 House Referred to Committee on **Judiciary** ([House Journal‑page 42](file:///H%3A%5CHJ%20Archive%5C2014%5C01-14-14.docx))

 1/15/2014 House Member(s) request name added as sponsor: Taylor

 2/26/2014 House Member(s) request name added as sponsor: Felder

 4/2/2014 House Committee report: Favorable **Judiciary** ([House Journal‑page 105](file:///H%3A%5CHJ%20Archive%5C2014%5C04-02-14.docx))

 4/8/2014 House Member(s) request name added as sponsor: Loftis, W.J.McLeod, Pitts

 4/8/2014 House Requests for debate‑Rep(s). Bannister, KR Crawford, Murphy, Lowe, Merrill, Williams, Pitts, Munnerlyn, Thayer, WJ McLeod, Bowen, Hardwick ([House Journal‑page 18](file:///H%3A%5CHJ%20Archive%5C2014%5C04-08-14.docx))

 4/9/2014 House Member(s) request name added as sponsor: D.C.Moss, Bales

 4/9/2014 House Requests for debate removed‑Rep(s). Merrill, Munnerlyn, KR Crawford, Thayer, Bowen, Hardwick, Murphy, Williams ([House Journal‑page 54](file:///H%3A%5CHJ%20Archive%5C2014%5C04-09-14.docx))

 4/10/2014 House Read second time ([House Journal‑page 71](file:///H%3A%5CHJ%20Archive%5C2014%5C04-10-14.docx))

 4/10/2014 House Roll call Yeas‑111 Nays‑0 ([House Journal‑page 71](file:///H%3A%5CHJ%20Archive%5C2014%5C04-10-14.docx))

 4/10/2014 House Unanimous consent for third reading on next legislative day ([House Journal‑page 72](file:///H%3A%5CHJ%20Archive%5C2014%5C04-10-14.docx))

 4/11/2014 House Read third time and sent to Senate ([House Journal‑page 5](file:///H%3A%5CHJ%20Archive%5C2014%5C04-11-14.docx))

 4/15/2014 Senate Introduced and read first time ([Senate Journal‑page 11](file:///H%3A%5CSJ%20Archive%5C2014%5C04-15-14.docx))

 4/15/2014 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 11](file:///H%3A%5CSJ%20Archive%5C2014%5C04-15-14.docx))

 5/21/2014 Senate Committee report: Favorable **Judiciary** ([Senate Journal‑page 15](file:///H%3A%5CSJ%20Archive%5C2014%5C05-21-14.docx))

 5/29/2014 Senate Read second time ([Senate Journal‑page 59](file:///H%3A%5CSJ%20Archive%5C2014%5C05-29-14.docx))

 5/29/2014 Senate Roll call Ayes‑43 Nays‑0 ([Senate Journal‑page 59](file:///H%3A%5CSJ%20Archive%5C2014%5C05-29-14.docx))

 6/4/2014 Senate Read third time and enrolled ([Senate Journal‑page 18](file:///H%3A%5CSJ%20Archive%5C2014%5C06-04-14.docx))

 6/5/2014 Ratified R 299

 6/9/2014 Signed By Governor

 6/13/2014 Effective date 06/09/14

 6/26/2014 Act No. 270

**VERSIONS OF THIS BILL**

[12/3/2013](file:///p%3A%5Cpprever%5C2013-14%5C4348_20131203.docx)

[4/2/2014](file:///p%3A%5Cpprever%5C2013-14%5C4348_20140402.docx)

[5/21/2014](file:///p%3A%5Cpprever%5C2013-14%5C4348_20140521.docx)

(A270, R299, H4348)

**AN ACT TO AMEND SECTION 63‑3‑530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JURISDICTION OF THE FAMILY COURT, INCLUDING JURISDICTION TO ORDER VISITATION FOR GRANDPARENTS OF MINOR CHILDREN, SO AS TO ELIMINATE CERTAIN PREREQUISITES TO ORDERING VISITATION, AND TO CLARIFY THAT PARENT MEANS THE NATURAL OR ADOPTIVE PARENT.**

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

**Grandparent visitation**

SECTION 1. Section 63‑3‑530(A)(33) of the 1976 Code, as last amended by Act 267 of 2010, is further amended to read:

 “(33) to order visitation for the grandparent of a minor child where either or both parents of the minor child is or are deceased, or are divorced, or are living separate and apart in different habitats, if the court finds that:

 (1) the child’s parents or guardians are unreasonably depriving the grandparent of the opportunity to visit with the child, including denying visitation of the minor child to the grandparent for a period exceeding ninety days; and

 (2) awarding grandparent visitation would not interfere with the parent‑child relationship; and:

 (a) the court finds by clear and convincing evidence that the child’s parents or guardians are unfit; or

 (b) the court finds by clear and convincing evidence that there are compelling circumstances to overcome the presumption that the parental decision is in the child’s best interest.

The judge presiding over this matter may award attorney’s fees and costs to the prevailing party.

 For purposes of this item, ‘grandparent’ means the natural or adoptive parent of a natural or adoptive parent of a minor child.”

**Time effective**

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

Ratified the 5th day of June, 2014.

Approved the 9th day of June, 2014.

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