**A** **BILL**

TO AMEND SECTION 63‑7‑2570, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMINATION OF PARENTAL RIGHTS, SO AS TO CHANGE CERTAIN REQUIREMENTS FOR TERMINATION BASED ON CONCEPTION OF A CHILD AS A RESULT OF CRIMINAL SEXUAL CONDUCT.

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

SECTION 1. Section 63‑7‑2570(11) of the 1976 Code is amended to read:

“(11) Conception of a child as a result of the criminal sexual conduct of ~~a~~ one biological parent against the other biological parent, ~~as found by a court of competent jurisdiction~~ as determined by the court through clear and convincing evidence, is grounds for terminating the parental rights of ~~that~~ the offending biological parent, unless the ~~sentencing~~ court makes specific findings on the record that the ~~conviction resulted from consensual~~ criminal sexual conduct resulted from consensual conduct when neither ~~the victim nor the actor were~~ biological parent was younger than fourteen years of age nor older than eighteen years of age at the time of the offense. This ground does not require a criminal conviction of the offending biological parent for criminal sexual conduct, but the nonoffending biological parent must cooperate with law enforcement, the solicitor’s office, and the court in the advancement of criminal charges against the offending biological parent. Provided, however, if the biological parents continue to cohabit for more than one year after birth of the child under these circumstances, termination of the offending biological parent’s parental rights to the child based on this ground requires a criminal conviction of the offending biological parent related to the criminal sexual conduct.”

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

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