**South Carolina General Assembly**

125th Session, 2023-2024

**H. 3800**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Burns

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Introduced in the House on January 25, 2023

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

Summary: Religious Institution Immunity for Sharing Clergy Misconduct

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/25/2023 House Introduced and read first time (House Journal‑page 9)

 1/25/2023 House Referred to Committee on **Judiciary** (House Journal‑page 9)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3800&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[01/25/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3800_20230125.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15‑3‑710 SO AS TO PROVIDE THAT, UNDER CERTAIN CONDITIONS, A RELIGIOUS INSTITUTION, OR EMPLOYEE, VOLUNTEER, OR INDEPENDENT CONTRACTOR OF A RELIGIOUS INSTITUTION MAY BE IMMUNE FROM CIVIL LIABILITY FOR DISCLOSING TO AN INDIVIDUAL’S CURRENT OR PROSPECTIVE EMPLOYER INFORMATION REGARDING AN OFFENSE INVOLVING SEXUAL ABUSE.

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

SECTION 1. Chapter 3, Title 15 of the S.C. Code is amended by adding:

 Section 15‑3‑710. (A) A religious institution, or an employee, volunteer, or independent contractor of a religious institution, acting in good faith, is immune from civil liability for any act to disclose to an individual’s current or prospective employer information reasonably believed to be true about an allegation that an individual who was employed by or served as a volunteer or independent contractor for the religious institution committed an offense involving sexual abuse.

 (B) Immunity from civil liability pursuant to this section applies in relation to an allegation that was required to have been reported only if the allegation has been previously disclosed and reported to an appropriate agency.

 (C) An individual is not immune under this section from civil or criminal liability for disclosing the individual’s own conduct that constitutes:

 (1) sexual misconduct;

 (2) sexual abuse of another individual; or

 (3) sexual harassment of another individual.

 (D) For purposes of this section, “religious institution” means a church or another religious institution recognized as a 501(c)(3) organization by the Internal Revenue Service.

SECTION 2. The provisions of this act do not apply to a cause of action that accrued before the effective date of this act.

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

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