**South Carolina General Assembly**

125th Session, 2023-2024

**S. 946**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Shealy

Document Path: SR-0539KM24.docx

Introduced in the Senate on January 10, 2024

Introduced in the House on February 27, 2024

Last Amended on February 22, 2024

Currently residing in the Senate

Summary: Child Care Regulations

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/10/2024 Senate Introduced and read first time (Senate Journal‑page 5)

 1/10/2024 Senate Referred to Committee on **Family and Veterans' Services** (Senate Journal‑page 5)

 2/14/2024 Senate Committee report: Favorable with amendment **Family and Veterans' Services**

 2/21/2024 Senate Committee Amendment Adopted (Senate Journal‑page 22)

 2/21/2024 Senate Read second time (Senate Journal‑page 22)

 2/21/2024 Senate Roll call Ayes-45 Nays-0 (Senate Journal‑page 22)

 2/22/2024 Senate Amended (Senate Journal‑page 9)

 2/22/2024 Senate Read third time and sent to House (Senate Journal‑page 9)

 2/27/2024 House Introduced and read first time (House Journal‑page 31)

 2/27/2024 House Referred to Committee on **Education and Public Works** (House Journal‑page 31)

 4/25/2024 House Committee report: Favorable with amendment **Education and Public Works** (House Journal‑page 22)

 5/2/2024 House Debate adjourned until Tues., 5-7-24

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**VERSIONS OF THIS BILL**

[01/10/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/946_20240110.docx)

[02/14/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/946_20240214.docx)

[02/21/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/946_20240221.docx)

[02/22/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/946_20240222.docx)

[04/25/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/946_20240425.docx)

Indicates Matter Stricken

Indicates New Matter

Committee Report

April 25, 2024

S. 946

Introduced by Senator Shealy

S. Printed 04/25/24--H.

Read the first time February 27, 2024

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The committee on House Education and Public Works

To whom was referred a Bill (S. 946) to amend the South Carolina Code of Laws by amending Section 63‑13‑1210, relating to the State Advisory Committee on the Regulation of Childcare Facilities, so as, etc., respectfully

Report:

That they have duly and carefully considered the same, and recommend that the same do pass with amendment:

 Amend the bill, as and if amended, SECTION 1, by striking Section 63-13-1210(A) and inserting:

 (A) A State Advisory Committee on the Regulation of Childcare Facilities is established. It consists consisting of seventeen fifteen members. Two members serve ex officio and thirteen are appointed by the Governor, in accordance with the following:

 (1) Five Three of the members appointed must be parents of children who are receiving childcare services at the time of appointment, with no less than three two representing the entrepreneurial for-profit facilities.

 (2) Eight Six of the members appointed must be representative of owners and operators of childcare facilities, one of which must be an operator of a childcare home. No less than five four other appointees must be operators of facilities subject to regulation who are actively engaged in the operation for profit with one appointed from a registered faith-based center.

 (3) One member appointed shall represent the educational community of the State.

 Nominees for membership on the advisory committee pursuant to items (1), (2), and (3) must be made from lists furnished the Governor by South Carolina organizations representing the various types of childcare facilities defined in this chapter.

 (4) One member appointed shall represent the business community of the State. Nominees for membership pursuant to this item must be made from lists furnished the Governor by the South Carolina Chamber of Commerce.

 (5) Two members appointed shall represent church-operated childcare centers, one of whom must be an operator of a church childcare center and one of whom must be a parent of a child who is receiving childcare services in a church-operated childcare center at the time of appointment.

 (6) The Executive Director of the Office of South Carolina First Steps to School Readiness or his designee and the State Child Advocate of the South Carolina Department of Children’s Advocacy or his designee shall serve as ex officio, nonvoting members.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Section 63-13-1240 of the S.C. Code is amended to read:

 Section 63-13-1240. The department South Carolina Department of Children’s Advocacy shall provide reasonable secretarial and administrative support to the advisory committee.

Renumber sections to conform.

Amend title to conform.

SHANNON ERICKSON for Committee.

statement of estimated fiscal impact

Explanation of Fiscal Impact

State Expenditure

This bill decreases the number of members on the State Advisory Committee on the Regulation of Childcare Facilities from seventeen to fifteen. Further, it decreases the number of members appointed that must be parents of children who are receiving childcare services at the time of appointment from five to four. It also decreases the number of members appointed that must be representative of owners and operators of childcare facilities from eight to seven. Additionally, this bill decreases the number of members who must be present to make a majority vote on a committee action from eight to six.

DSS is responsible for providing reasonable secretarial and administrative support to the advisory committee. Decreasing the number of committee members does not change these duties. Additionally, there is no per diem associated with the advisory committee. Therefore, this bill has no fiscal impact on DSS.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63‑13‑1210, RELATING TO THE STATE ADVISORY COMMITTEE ON THE REGULATION OF CHILDCARE FACILITIES, SO AS TO CHANGE THE ORGANIZATION OF THE MEMBERS; AND BY AMENDING SECTION 63‑13‑1220, RELATING TO COMMITTEE DUTIES, SO AS TO CHANGE THE QUORUM OF MEMBERS REQUIRED TO VOTE FROM EIGHT TO SIX.

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

SECTION 1. Section 63-13-1210 of the S.C. Code is amended to read:

 Section 63-13-1210. (A) A State Advisory Committee on the Regulation of Childcare Facilities is established. It consists of seventeen fifteen members appointed by the Governor, in accordance with the following:

 (1) Five Four of the members appointed must be parents of children who are receiving childcare services at the time of appointment, with no less than three two representing the entrepreneurial facilities.

 (2) Eight Seven of the members appointed must be representative of owners and operators of childcare facilities, one of which must be an operator of a childcare home. No less than five other appointees must be operators of facilities subject to regulation who are actively engaged in the operation for profit.

 (3) One member appointed shall represent the educational community of the State.

 Nominees for membership on the advisory committee pursuant to items (1), (2), and (3) must be made from lists furnished the Governor by South Carolina organizations representing the various types of childcare facilities defined in this chapter.

 (4) One member appointed shall represent the business community of the State. Nominees for membership pursuant to this item must be made from lists furnished the Governor by the South Carolina Chamber of Commerce.

 (5) Two members appointed shall represent church-operated childcare centers, one of whom must be an operator of a church childcare center and one of whom must be a parent of a child who is receiving childcare services in a church-operated childcare center at the time of appointment.

 (B) Members shall serve for terms of three years and until their successors are appointed and qualify, except that of those initially appointed five shall serve for one year, five for two years, and five for three years. A member shall not serve on the advisory committee in a hold-over capacity at the conclusion of his term for more than 90 days. Vacancies must be filled in the manner of the original appointment for the unexpired portion of the term only. Reappointment to serve a full term may ensue at the discretion of the Governor, however, no member may be permitted to succeed himself after serving a full term.

 (C) The chairman of the committee must be designated by the Governor from among the appointees selected pursuant to the provisions of items (1) and (2) of subsection (A) of this section.

SECTION 2. Section 63-13-1220 of the S.C. Code is amended to read:

 Section 63-13-1220. The State Advisory Committee on the Regulation of Childcare Facilities shall:

 (1) Review changes in the regulations and suggested standards proposed by the director or his designee and make recommendations on these changes to the director or his designee. The committee shall evaluate the regulations and suggested standards at the three-year review period (subsection (C) of Section 63-13-180) and recommend necessary changes. No regulation may be promulgated if the standard has been disapproved by a simple majority of the committee.

 (2) Advise the department regarding the improvement of the regulation of childcare facilities.

 (3) Advise the department on matters of regulatory policy, planning, and priorities.

 (4) As it considers necessary, hold a public hearing at least thirty days before adoption of the regulations.

 (5) Plan with the department for the procedures to be used in notifying licensees, approved operators, and registrants regarding regulatory changes sixty days before intended promulgation.

 (6) Maintain through the department the essential liaison with other departments and agencies of state and local government so as to preclude imposition of duplicate requirements upon operators subject to regulations under this chapter.

 (7) Act to move the adoption of its recommendations and other pertinent disposition of matters before it by decision of a simple majority of those members present and voting, provided there is a quorum of eight membersa majority of the members appointed and found qualified.

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

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