

Session 118 - (2009-2010)

S*1172 (Rat #0187, Act #0160 of 2010) General Bill, By Fair, Hutto, Jackson, Alexander, Ford, L. Martin, Campbell, Rose, Knotts and Cromer

Summary: Adoption

AN ACT TO AMEND SECTION 63-7-1640, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF SOCIAL SERVICES PROVIDING REASONABLE EFFORTS TO ACHIEVE FAMILY PRESERVATION AND REUNIFICATION, SO AS TO PROVIDE THAT THE NAMED PARTY MAY MOVE TO HAVE THE COURT DETERMINE IF THE DEPARTMENT SHALL CONTINUE WITH THESE EFFORTS, TO ADD ALCOHOL AND DRUG ADDICTION, MENTAL ILLNESS, AND EXTREME PHYSICAL INCAPACITY TO THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT IS NOT REQUIRED TO CONTINUE TO MAKE REASONABLE EFFORTS TO PRESERVE OR REUNIFY A FAMILY, TO REQUIRE THE COURT TO MAKE SPECIFIC FINDINGS WHEN RELEASING THE DEPARTMENT FROM MAKING THESE REASONABLE EFFORTS OR WHEN REQUIRING THE DEPARTMENT TO CONTINUE MAKING THESE REASONABLE EFFORTS, AND TO REQUIRE THE DEPARTMENT TO PETITION FOR TERMINATION OF PARENTAL RIGHTS WITHIN SIXTY DAYS WHEN MAKING REASONABLE EFFORTS TO PRESERVE OR REUNIFY A FAMILY IS NO LONGER REQUIRED; TO AMEND SECTION 63-7-1660, RELATING TO PROCEDURES FOR REMOVING A CHILD FROM THE CUSTODY OF HIS PARENTS BY FILING A PETITION IN FAMILY COURT AND GROUNDS FOR REMOVAL, SO AS TO REQUIRE THE DEPARTMENT TO ALSO SEEK TERMINATION OF PARENTAL RIGHTS IF CIRCUMSTANCES EXIST; TO AMEND SECTION 63-7-1680, RELATING TO THE CONTENTS OF A PLACEMENT PLAN WHEN A CHILD IS REMOVED FROM THE CUSTODY OF HIS PARENTS, SO AS TO REVISE AND FURTHER SPECIFY THE CONTENTS OF THE PLACEMENT PLAN; TO AMEND SECTION 63-7-1700, RELATING TO FAMILY COURT REVIEWING A CHILD'S PERMANENT PLACEMENT PLAN, SO AS TO FURTHER PROVIDE THE CONTENTS OF A SUPPLEMENTAL REPORT TO BE PROVIDED TO THE COURT WHEN CONDUCTING SUCH A REVIEW, TO FURTHER SPECIFY CONDITIONS FOR REVIEW, TO FURTHER SPECIFY CONDITIONS FOR RETURNING THE CHILD TO THE CUSTODY OF HIS PARENTS, TO FURTHER SPECIFY CONDITIONS UNDER WHICH THE PLACEMENT PLAN MAY BE EXTENDED, AND TO DELETE DUPLICATIVE TEXT; TO AMEND SECTION 63-7-2570, RELATING TO GROUNDS FOR TERMINATING PARENTAL RIGHTS, SO AS TO CLARIFY THAT IN SOME INSTANCES A PARENT'S CONDUCT INVOLVING ANOTHER CHILD OF THE PARENT LIVING IN THE PARENT'S HOME MAY CONSTITUTE GROUNDS FOR TERMINATION OF PARENTAL RIGHTS, TO FURTHER SPECIFY GROUNDS FOR TERMINATION OF PARENTAL RIGHTS DUE TO A PARENT HAVING A DIAGNOSABLE CONDITION, AND TO MAKE A TECHNICAL CORRECTION; TO AMEND SECTION 63-9-60, RELATING TO PERSONS WHO MAY ADOPT A CHILD IN THIS STATE, SO AS TO PROVIDE THAT AN ADOPTION BY PERSONS WHO ARE NONRESIDENTS MUST BE FINALIZED IN THIS STATE; BY ADDING SECTION 63-9-70 SO AS TO PROHIBIT CERTAIN PERSONS OR ENTITIES FROM ADVERTISING THAT THE PERSON OR ENTITY WILL PLACE OR ACCEPT A CHILD FOR ADOPTION, TO PROVIDE AN EXCEPTION, TO PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS, AND TO PROVIDE THAT THE FAMILY COURT SHALL ENJOIN VIOLATIONS OF THIS SECTION; AND TO AMEND SECTION 63-9-1110, RELATING TO STEPPARENT AND FAMILY ADOPTIONS, SO AS TO AUTHORIZE THE COURT TO WAIVE THE REQUIREMENT THAT THE ADOPTION MUST BE FINALIZED IN THIS STATE. - ratified title

- 02/11/10 Senate Introduced and read first time SJ-5**
- 02/11/10 Senate Referred to Committee on Judiciary SJ-5**
- 02/16/10 Senate Referred to Subcommittee: Campbell (ch), Knotts, Campsen, Lourie**
- 03/17/10 Senate Committee report: Favorable with amendment Judiciary SJ-10**
- 03/18/10 Senate Committee Amendment Adopted SJ-17**
- 03/18/10 Senate Read second time SJ-17**
- 03/18/10 Senate Unanimous consent for third reading on next legislative day SJ-17**
- 03/18/10 Scrivener's error corrected**
- 03/19/10 Senate Read third time and sent to House SJ-1**
- 03/23/10 House Introduced and read first time HJ-35**
- 03/23/10 House Referred to Committee on Judiciary HJ-36**
- 03/24/10 Scrivener's error corrected**
- 04/21/10 House Recalled from Committee on Judiciary HJ-19**
- 04/22/10 House Debate adjourned until Tuesday, April 27, 2010 HJ-80**
- 04/27/10 House Debate adjourned until Tuesday, May 4, 2010 HJ-53**
- 05/04/10 House Read second time HJ-37**
- 05/05/10 House Read third time and enrolled HJ-11**

05/06/10 **Ratified R 187**
05/12/10 **Signed By Governor**
05/21/10 **Effective date 05/12/10**
05/25/10 **Act No. 160**