

Session 111 - (1995-1996)

S*1286 (Rat #0503, Act #0444 of 1996) General Bill, By Senate Judiciary

A Bill to amend the Code of Laws of South Carolina, 1976, by adding Section 20-7-2725 so as to prohibit day care centers or homes from employing persons convicted of certain crimes or persons who are required to register under the Sex Offender Registry Act; to provide that a person who has been convicted of these disqualifying crimes who applies for employment with or is employed by such a day care center is guilty of a misdemeanor and provide penalties for violation, to require employment applications at these day care centers to include a statement notifying an applicant of this criminal offense, to require fingerprint reviews for employees and caregivers at these day care centers, to allow temporary or provisional employment pending the completion of the fingerprint review in certain circumstances, to waive fingerprint reviews for certain persons, and to provide for the applicability of this Section in regard to employees at these day care centers; to add Section 20-7-3092 so as to provide that fingerprint reviews are not required of certain education personnel and licensed foster parents; to amend Section 17-22-90, relating to agreements required of offenders in pretrial intervention programs, so as to provide that if the offense is committing or attempting to commit a lewd act upon a child under sixteen years of age, the offender in his agreement with the solicitor's office shall agree to allow information about the offense to be made available to day care centers and other facilities providing care to children; to amend Section 20-7-2700, as amended, relating to definitions in regard to child day care facilities, so as to revise certain exceptions as to what is not considered a child day care facility; to amend Sections 20-7-2730, 20-7-2740, 20-7-2800, 20-7-2810, 20-7-2850, 20-7-2860, and 20-7-2900, all as amended, relating to day care licensing, approval, registrations and renewals, so as to revise the criminal offenses which preclude a person from obtaining a license, approval, or registration, or renewal; to further provide for when fingerprint reviews are required, to further provide for certain employment conditions at these facilities, and to further provide for the licensing and approval process regarding these facilities; to amend Section 20-7-2905, relating to fees for criminal history reviews, so as to provide that the State Law Enforcement Division may not impose a fee greater than that of the Federal Bureau of Investigation for conducting such reviews; to amend Section 20-7-3097, relating to fingerprint reviews of employees of the Department of Social Services in its Day Care Licensing or Child Protective Services Division, so as to revise the list of crimes which preclude the employment of such persons, permit the provisional employment of these employees under certain conditions, and to make it unlawful for a person who has been convicted of one of the disqualifying crimes referenced above to apply for such employment, to provide for certain persons who are not required to undergo a state fingerprint review, to provide that participation in the state employee adoption assistance program is extended to local law enforcement officers; and to amend Article 7, Chapter 3 of Title 23, relating to the Sex Offender Registry, so as to further provide for the administration of the Registry by the State Law Enforcement Division, for the crimes and other circumstances for which registration is required, and for the persons to whom these provisions apply, to further provide for the conditions of and procedures for registration, to revise the penalties for failure to register, to make it unlawful to knowingly give false information when registering and provide penalties for violation, to provide for exception and modifications to the registration requirements, and to provide for the manner in which information in the Registry is open to the public and may be disclosed.-amended title

03/21/96 Senate Introduced, read first time, placed on calendar without reference SJ-7

03/26/96 Senate Amended SJ-54

03/26/96 Senate Read second time SJ-54

03/27/96 Senate Read third time and sent to House SJ-20

03/28/96 House Introduced and read first time HJ-11

03/28/96 House Referred to Committee on Judiciary HJ-12

05/15/96 House Committee report: Favorable with amendment Judiciary HJ-17

05/21/96 House Debate adjourned until Wednesday, May 22, 1996 HJ-117

05/22/96 House Debate interrupted HJ-44

05/22/96 House Amended HJ-69

05/22/96 House Read second time HJ-69

05/23/96 House Read third time and returned to Senate with amendments HJ-22

05/28/96 Senate House amendment amended SJ-28

05/28/96 Senate Returned to House with amendments SJ-28

05/30/96 House Senate amendment amended HJ-72

05/30/96 House Returned to Senate with amendments HJ-72

05/30/96 Senate Concurred in House amendment and enrolled SJ-68

06/13/96 Ratified R 503

06/18/96 Signed By Governor

06/18/96 **Effective date 06/18/96**
07/09/96 **Copies available**
07/09/96 **Act No. 444**