

Session 118 - (2009-2010)

H 4630 General Bill, By Forrester

Summary: Jaidon's Law

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING "JAIDON'S LAW" BY AMENDING SECTION 63-7-1680, RELATING TO THE CONTENTS, APPROVAL, AND AMENDMENT OF A PLACEMENT PLAN DEVELOPED BY THE DEPARTMENT OF SOCIAL SERVICES FOR A CHILD REMOVED FROM THE CUSTODY OF HIS OR HER PARENTS, SO AS TO FURTHER PROVIDE FOR THE VISITATION RIGHTS AND OBLIGATIONS OF THE PARENTS UNDER THE PLACEMENT PLAN; TO AMEND SECTION 63-7-1690, RELATING TO CONTENTS OF A PLACEMENT PLAN WHEN THE CONDITIONS FOR REMOVAL OF A CHILD FROM THE CUSTODY OF HIS OR HER PARENTS INCLUDE CONTROLLED SUBSTANCE ABUSE BY THE PARENTS, SO AS TO MAKE THE CONTENTS OF THE PLAN MANDATORY, RATHER THAN IN THE DISCRETION OF THE COURT; TO AMEND SECTION 63-7-1710, RELATING TO CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF SOCIAL SERVICES SHALL FILE A PETITION TO TERMINATE PARENTAL RIGHTS, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL FILE SUCH A PETITION IF THE PARENT IS CONVICTED OF HOMICIDE BY CHILD ABUSE, OR AIDING OR ABETTING TO COMMIT HOMICIDE BY CHILD ABUSE, OF ANOTHER CHILD OF THE PARENT; TO PROVIDE THAT THE DEPARTMENT SHALL FILE SUCH A PETITION IF A PARENT FAILED THREE HAIR-STRAND DRUG TESTS OVER A NINE-MONTH PERIOD; AND TO PROVIDE THAT THE DEPARTMENT SHALL FILE SUCH A PETITION IF A PARENT FAILED TWICE IN A TWELVE-MONTH PERIOD TO COMPLY WITH THE TERMS OF A TREATMENT PLAN OR PLACEMENT PLAN; TO AMEND SECTION 63-7-1940, RELATING TO COURT-ORDERED PLACEMENT OF A PERSON IN THE CENTRAL REGISTRY FOR CHILD ABUSE AND NEGLECT, SO AS TO PROVIDE THAT THE COURT SHALL ORDER THAT A PERSON BE PLACED IN THE REGISTRY IF THE PERSON GAVE BIRTH TO THE CHILD AND THE CHILD TESTED POSITIVE FOR DRUGS; AND TO AMEND SECTION 63-7-2570, RELATING TO GROUNDS FOR TERMINATING PARENTAL RIGHTS, SO AS TO PROVIDE THAT TERMINATING SUCH RIGHTS ON THE GROUND OF SEVERE AND REPETITIVE ABUSE OR NEGLECT INCLUDES HOSPITALIZATION OF A CHILD FOR MORE THAN FOURTEEN DAYS DUE TO ABUSE OR NEGLECT; TO INCLUDE IN THE GROUNDS FOR TERMINATING SUCH RIGHTS A PARENT'S ADDICTION TO ALCOHOL OR ILLEGAL DRUGS OR PRESCRIPTION MEDICATION ABUSE WHEN THE PARENT'S ADDICTION IS UNLIKELY TO CHANGE WITHIN A REASONABLE TIME; AND TO PROVIDE AS A GROUND FOR TERMINATING SUCH RIGHTS A PARENT BEING CONVICTED OF MURDER, VOLUNTARY MANSLAUGHTER, OR HOMICIDE BY CHILD ABUSE OF ANOTHER CHILD OF THE PARENT.

02/25/10 House Introduced and read first time HJ-8

02/25/10 House Referred to Committee on Judiciary HJ-9