Session 112 - (1997-1998)

S 0998 General Bill, By Courtney and Holland

Similar (H 4468)

A BILL TO AMEND SECTION 19-1-180, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ADMISSIBILITY OF OUT-OF-COURT STATEMENTS BY CERTAIN CHILDREN, SO AS TO EXPAND THE ADMISSIBILITY OF THESE STATEMENTS TO INCLUDE CHILDREN WHO FUNCTION COGNITIVELY, ADAPTIVELY, OR DEVELOPMENTALLY UNDER AGE TWELVE; TO AMEND SECTION 20-7-420, AS AMENDED, RELATING TO THE JURISDICTION OF THE FAMILY COURT, SO AS TO INCLUDE THE AUTHORITY TO HEAR AND DETERMINE ACTIONS CONCERNING CONTROL OF A MINOR, INCLUDING GUARDIANSHIP OF A MINOR; TO AMEND SECTION 20-7-490, AS AMENDED, RELATING TO DEFINITIONS USED IN ARTICLE 7, CHAPTER 7, TITLE 20, SO AS TO ALSO APPLY THESE DEFINITIONS TO OTHER ARTICLES IN THE CHILDREN'S CODE; TO AMEND SECTION 20-7-510, AS AMENDED, RELATING TO PERSONS REQUIRED TO REPORT CHILD ABUSE AND NEGLECT, SO AS TO CLARIFY THAT THE DUTY TO REPORT EXISTS REGARDLESS OF WHO THE REPORTER BELIEVES TO BE THE PERPETRATOR OF THE ABUSE; TO AMEND SECTION 20-7-540, AS AMENDED, RELATING TO IMMUNITY FROM LIABILITY FOR REPORTING CHILD ABUSE OR NEGLECT, SO AS TO EXPAND THE IMMUNITY TO PERSONS WHO PARTICIPATE IN AN INVESTIGATION OF ABUSE OR NEGLECT; TO AMEND SECTION 20-7-545, AS AMENDED, RELATING TO IMMUNITY OF THE DEPARTMENT OF SOCIAL SERVICES PERSONNEL FROM LIABILITY FOR PERFORMING CHILD PROTECTIVE SERVICES OR CHILD WELFARE FUNCTIONS, SO AS TO ALSO INCLUDE CONTRACT EMPLOYEES; TO AMEND SECTION 20-7-610, AS AMENDED, RELATING TO EMERGENCY PROTECTIVE CUSTODY PROCEDURES, SO AS TO REVISE CERTAIN PROCEDURES; TO AMEND SECTION 20-7-618 RELATING TO DETAINMENT OF ABUSED OR NEGLECTED CHILDREN BY MEDICAL PROFESSIONALS WITHOUT PARENTAL CONSENT, SO AS TO CLARIFY THAT SUCH DETAINMENT IS NOT KEEPING A CHILD IN EMERGENCY PHYSICAL CUSTODY; TO AMEND SECTION 20-7-650, AS AMENDED, RELATING TO THE DUTIES OF THE DEPARTMENT OF SOCIAL SERVICES IN CONNECTION WITH CHILD ABUSE AND NEGLECT, SO AS TO CLARIFY THAT THE DEPARTMENT IS NOT REQUIRED TO BEGIN AN INVESTIGATION OF A CHILD WHO DIED OF ABUSE OR NEGLECT WITHIN TWENTY-FOUR HOURS UNLESS OTHER CHILDREN ARE IN THE HOME OR IF THE ALLEGED PERPETRATOR IS THE PARENT OR GUARDIAN AND TO REVISE CERTAIN PROCEDURES WHEN A CHILD IS IN PLACEMENT WITH A RELATIVE; TO AMEND SECTION 20-7-690, AS AMENDED, RELATING TO CONFIDENTIALITY OF ABUSE AND NEGLECT REPORTS AND RECORDS, SO AS TO REVISE CERTAIN PERSONS, AGENCIES, OR ENTITIES WHICH MAY HAVE ACCESS TO THESE REPORTS AND RECORDS AND TO AUTHORIZE THE DEPARTMENT TO DISCLOSE NECESSARY INFORMATION TO PARTICIPANTS IN A FAMILY GROUP CONFERENCE; TO AMEND SECTION 20-7-765 RELATING TO FOSTER CARE TREATMENT PLAN REQUIREMENTS REGARDING SUBSTANCE ABUSE, SO AS TO CHANGE THE TERM "TREATMENT PLAN" TO "PLACEMENT PLAN"; TO AMEND SECTION 20-7-766, AS AMENDED, RELATING TO THE PERMANENCY PLANNING HEARING FOR CHILDREN IN FOSTER CARE, SO AS TO PROVIDE THAT A SUPPLEMENTAL REPORT MUST BE ATTACHED TO A MOTION FOR A REVIEW RATHER THAN TO A SUMMONS AND COMPLAINT; TO AMEND SECTION 20-7-1572, AS AMENDED, RELATING TO TERMINATION OF PARENTAL RIGHTS, SO AS TO ADD AS A GROUND FOR TERMINATION, CONVICTION FOR CERTAIN CRIMES AGAINST THE PERSON, INCLUDING CRIMINAL DOMESTIC VIOLENCE; TO AMEND SECTION 20-7-2376, AS AMENDED, RELATING TO FUNCTIONS AND POWERS OF LOCAL FOSTER CARE REVIEW BOARDS, SO AS TO REQUIRE THE BOARDS TO SUBMIT TO THE COURT WRITTEN REPORTS, DISTINCTIVE FROM OTHER DOCUMENTS IN THE FILE; TO AMEND SECTION 59-63-31 RELATING TO GROUNDS FOR ATTENDING A PUBLIC SCHOOL IN A DISTRICT WITHOUT CHARGE IF THE CHILD IS IN THE CUSTODY OF THE DEPARTMENT OF SOCIAL SERVICES, SO AS TO REVISE THESE GROUNDS; TO AMEND JOINT RESOLUTION 157 OF 1997 RELATING TO THE PILOT CHILD PROTECTIVE SERVICES SYSTEM, SO AS TO CLARIFY THAT THE EVALUATION REQUIRED TO BE CONDUCTED IS THE ONLY EVALUATION THAT MUST BE PERFORMED BY THE DEPARTMENT OF SOCIAL SERVICES IN COUNTIES PARTICIPATING IN THE PILOT AND TO EXPAND FROM THIRTY TO FORTY-FIVE DAYS THE TIME WITHIN WHICH A DETERMINATION MUST BE MADE FOR A CASE TO BE REFERRED TO THE PILOT SYSTEM.

02/05/98 Senate Introduced and read first time SJ-9

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