COMMITTEE REPORT

April 22, 2009

**S. 343**

Introduced by Senator Lourie

S. Printed 4/22/09--S.

Read the first time January 29, 2009.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Concurrent Resolution (S. 343) to request the South Carolina Budget and Control Board to require all agencies with investigative authority pursuant to the Omnibus Adult Protection Act, or any federal statute, to make their cases, etc., respectfully

**REPORT:**

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

Amend the concurrent resolution, as and if amended, by striking page 1, lines 38-42, and page 2, lines 1-4, and inserting:

/ That the General Assembly of South Carolina directs the South Carolina Budget and Control Board to:

(1) require all agencies with investigative authority pursuant to the Omnibus Adult Protection Act, or any federal statute, to make available on the Internet, to the extent legally possible, in a format to be developed by the Adult Protection Coordinating Council, the results of their cases of abuse, neglect, and exploitation of vulnerable adults, which resulted in criminal convictions, and to the extent possible, provide this information in one location on the State’s website;

(2) develop a procedure in conjunction with the Adult Protection Coordinating Council whereby a person could appeal the placement of the person’s results on the State’s website; and

(3) develop a procedure in conjunction with the Adult Protection Coordinating Council whereby a person’s results would be automatically removed from the State’s website five years from the date the person completes his sentence, provided the person has not been convicted of a similar offense within the five year period./

Renumber sections to conform.

Amend title to conform.

JOHN M. KNOTTS, JR. for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

A Cost to the General Fund (See Below)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

If this Resolution is adopted, the State Budget and Control Board would be charged with certain duties. The Office of Research and Statistics indicates that this bill’s fiscal impact would total approximately $87,025 in recurring costs. These costs include one (1) FTE and other operating costs associated with the duties and requirements of the position.

The board’s Division of State Information Technology reports that there would be no cost to put this required data on the State’s website.

*Approved By:*

Harry Bell

Office of State Budget

**A** **CONCURRENT RESOLUTION**

TO REQUEST THE SOUTH CAROLINA BUDGET AND CONTROL BOARD TO REQUIRE ALL AGENCIES WITH INVESTIGATIVE AUTHORITY PURSUANT TO THE OMNIBUS ADULT PROTECTION ACT, OR ANY FEDERAL STATUTE, TO MAKE THEIR CASES OF ABUSE, NEGLECT, AND EXPLOITATION OF VULNERABLE ADULTS WHICH WERE SUBSTANTIATED OR RESULTED IN CRIMINAL CONVICTIONS AVAILABLE ON THE STATE’S WEBSITE IN A FORMAT TO BE DEVELOPED BY THE ADULT PROTECTION COORDINATING COUNCIL.

Whereas, the public interest requires that data regarding the abuse, neglect, and exploitation of vulnerable adults be readily available; and

Whereas, there is no central repository of data to provide one point of entry to existing state data bases collecting information concerning the abuse, neglect, and exploitation of vulnerable adults; and

Whereas, the General Assembly recognizes the need to establish the most efficient means of access to enable the public to protect the safety of vulnerable adults. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That the General Assembly of South Carolina requests the South Carolina Budget and Control Board to require all agencies with investigative authority pursuant to the Omnibus Adult Protection Act, or any federal statute, to make available on the internet, to the extent legally possible, in a format to be developed by the Adult Protection Coordinating Council their cases of abuse, neglect, and exploitation of vulnerable adults which were substantiated or resulted in criminal convictions, and to the extent possible, provide this information in one location on the state’s website.

Be it further resolved that a copy of this resolution be forwarded to the South Carolina Budget and Control Board and the Adult Protection Coordinating Council.

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