**South Carolina General Assembly**

119th Session, 2011-2012

**S. 1195**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Fair

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Introduced in the Senate on February 8, 2012

Currently residing in the Senate Committee on **Judiciary**

Summary: Child support

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/8/2012 Senate Introduced and read first time ([Senate Journal‑page 7](file:///h:\sj%20archive\2012\02-08-12.docx))

2/8/2012 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 7](file:///h:\sj%20archive\2012\02-08-12.docx))

2/10/2012 Senate Referred to Subcommittee: Sheheen (ch), Knotts, Campsen, Lourie, Campbell

**VERSIONS OF THIS BILL**

[2/8/2012](file:///p:\pprever\2011-12\1195_20120208.docx)

**A** **BILL**

TO AMEND SECTION 63‑17‑2310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENTITIES REQUIRED TO PROVIDE INFORMATION TO THE DEPARTMENT OF SOCIAL SERVICES FOR THE PURPOSE OF ESTABLISHING, MODIFYING, AND ENFORCING CHILD SUPPORT OBLIGATIONS, SO AS TO ALSO REQUIRE THESE ENTITIES TO PROVIDE THIS INFORMATION TO CLERKS OF FAMILY COURT FOR THE PURPOSE OF ENFORCING CHILD SUPPORT OBLIGATIONS IN CASES NOT BEING ADMINISTERED PURSUANT TO TITLE IV‑D OF THE SOCIAL SECURITY ACT BY THE DEPARTMENT OF SOCIAL SERVICES AND TO MAKE TECHNICAL CHANGES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 63‑17‑2310 of the 1976 Code is amended to read:

“Section 63‑17‑2310. (A)(1) The Department of Social Services shall attempt to locate individuals for the purposes of establishing paternity ~~or~~ and establishing, modifying, ~~or~~ and enforcing ~~a~~ child support ~~obligation~~ obligations. In all cases not being administered pursuant to Title Title IV‑D of the Social Security Act by the department, the clerks of family court may attempt to locate individuals for the purpose of enforcing child support obligations in non‑Title VI‑D cases.

(2) Upon request of the department or its designee, a federally approved child support agency of another state, or a clerk of the family court, notwithstanding any other provision of law making this information confidential, the following entities in ~~the~~ this State promptly shall provide ~~promptly to the department, its designee, or a federally‑approved child support agency of another state, the following~~ information~~, upon request by the department or other agency~~ required of the entities pursuant to items (a), (b), or (c) for the purpose of the requesting agency establishing paternity or establishing, modifying, or enforcing a support obligation or for the purpose of the clerk of family court enforcing child support obligations:

(~~1~~a) All entities in the State including, but not limited to, for‑profit, nonprofit, and governmental employers~~,~~ and labor organizations shall provide the full name, social security number, or the alien identification number assigned to a resident alien who does not have a social security number, date of birth, home address, wages or salary, existing or available medical, hospital, and dental insurance coverage, and number of dependents listed for tax purposes ~~on~~ for all employees, contractors, and members of labor organizations.

(~~2~~b) All utility companies, including wire and nonwire telecommunication companies, cable television companies, and financial institutions shall provide the full name, social security number, or the alien identification number assigned to a resident alien who does not have a social security number, date of birth, home address, telephone number, account numbers, and other identifying data, including information on assets and liabilities, ~~on~~ for all persons who maintain an account with that entity. For purposes of this item, a financial institution is defined as a federal, state, commercial, or savings bank, savings and loan association, cooperative bank, federal~~,~~ or state chartered credit union, benefit association, insurance company, safe deposit company, money market mutual fund, or investment company doing business in this State.

(~~3~~c) ~~A~~ The appropriate state or local agency of this State shall provide access to information contained in these records:

(~~a~~i) vital statistics;

(~~b~~ii) state and local tax and revenue records;

(~~c~~iii) records concerning real and titled property;

(~~d~~iv) records of occupational and professional licenses;

(~~e~~v) records concerning the ownership and control of corporations, partnerships, and other business entities;

(~~f~~vi) employment security records;

(~~g~~vii) records of motor vehicle departments; and

(~~h~~viii) corrections records.

A state or local agency, board, or commission ~~which~~ that provides this information ~~to the department~~ may not charge the department or a clerk of family court a fee for providing the information; however, a commission that receives federal grants, the ~~use~~ uses of which are restricted, may charge a fee for providing ~~the~~ this information.

(B) An entity that provides information pursuant to this section in good faith reliance upon certification by the ~~department~~ requesting agency or a clerk of family court that the information is needed to establish paternity or to establish, modify, or enforce a support obligation is not liable for damages resulting from the disclosure.

(C) An entity that fails to provide the requested information within thirty days of the request may be subject to a civil penalty of one hundred dollars for each occurrence. Fines imposed pursuant to this subsection must be enforced as provided for in Section 63‑3‑530(43) and distributed according to Section 63‑17‑520.”

SECTION 2. This act takes effect upon approval by the Governor.

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