**South Carolina General Assembly**

121st Session, 2015-2016

**H. 3522**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Norrell

Document Path: l:\council\bills\bh\26232vr15.docx

Companion/Similar bill(s): 4413

Introduced in the House on February 4, 2015

Introduced in the Senate on March 4, 2015

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

Summary: Infant Safe Havens

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/4/2015 House Introduced and read first time ([House Journal‑page 38](file:///h:\HJ%20Archive\2015\02-04-15.docx))

2/4/2015 House Referred to Committee on **Judiciary** ([House Journal‑page 38](file:///h:\HJ%20Archive\2015\02-04-15.docx))

2/25/2015 House Committee report: Favorable **Judiciary** ([House Journal‑page 2](file:///h:\HJ%20Archive\2015\02-25-15.docx))

3/3/2015 House Read second time ([House Journal‑page 27](file:///h:\HJ%20Archive\2015\03-03-15.docx))

3/3/2015 House Roll call Yeas‑107 Nays‑0 ([House Journal‑page 27](file:///h:\HJ%20Archive\2015\03-03-15.docx))

3/4/2015 House Read third time and sent to Senate ([House Journal‑page 12](file:///h:\HJ%20Archive\2015\03-04-15.docx))

3/4/2015 Senate Introduced and read first time ([Senate Journal‑page 10](file:///h:\SJ%20Archive\2015\03-04-15.docx))

3/4/2015 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 10](file:///h:\SJ%20Archive\2015\03-04-15.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3522&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/4/2015](file:///p:\pprever\2015-16\3522_20150204.docx)

[2/25/2015](file:///p:\pprever\2015-16\3522_20150225.docx)

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Indicates New Matter

COMMITTEE REPORT

February 25, 2015

**H. 3522**

Introduced by Rep. Norrell

S. Printed 2/25/15--H.

Read the first time February 4, 2015.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 3522) to amend Section 63‑7‑40, Code of Laws of South Carolina, 1976, relating to infant safe havens at which a person may leave an infant under certain, etc., respectfully

**REPORT:**

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

F. GREGORY DELLENEY, JR. for Committee.

**A** **BILL**

TO AMEND SECTION 63‑7‑40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INFANT SAFE HAVENS AT WHICH A PERSON MAY LEAVE AN INFANT UNDER CERTAIN CIRCUMSTANCES, SO AS TO REQUIRE SAFE HAVENS TO POST A NOTICE THAT STATES THAT THE LOCATION IS A SAFE HAVEN AND TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO PREPARE THE NOTICE FOR USE BY SAFE HAVENS.

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

SECTION 1. Section 63‑7‑40(B) of the 1976 Code is amended to read:

“(B)(1) A facility, agency, or other location designated as a safe haven pursuant to subsection (J)(2) shall post a notice prepared by the department on its premises that is prominently displayed for view by the public, stating that the facility, agency, or other location is a safe haven at which a person may leave an infant.

(2) The safe haven ~~must~~ shall offer the person leaving the infant information concerning the legal effect of leaving the infant with the safe haven.

~~(2)~~(3) The safe haven ~~must~~ shall ask the person leaving the infant to identify any parent of the infant other than the person leaving the infant with the safe haven. The safe haven also ~~must~~ shall attempt to obtain from the person information concerning the infant’s background and medical history as specified on a form provided by the ~~Department of Social Services~~ department. This information ~~includes~~ must include, but is not limited to, information concerning the use of a controlled substance by the infant’s mother, provided that information regarding the use of a controlled substance by the infant’s mother is not admissible as evidence of the unlawful use of a controlled substance in any court proceeding. The safe haven shall give the person a copy of the form and a prepaid envelope for mailing the form to the ~~Department of Social Services~~ department if the person does not wish to provide the information to the safe haven. ~~These~~ The department shall provide these materials ~~must be provided~~ to safe havens ~~by the department~~.

~~(3)~~(4) ~~Any~~ Identifying information disclosed by the person leaving the infant must be kept confidential by the safe haven and disclosed to no one other than the department. However, if a court determines that the immunity provisions of subsection (H) do not apply, the safe haven may disclose the information as permitted by confidentiality protections applicable to records of the safe haven, if the safe haven has such confidentiality protections for records. The department shall maintain confidentiality of this information in accordance with Section 63‑7‑1990.”

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

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