**South Carolina General Assembly**

121st Session, 2015-2016

**H. 4493**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Putnam, Collins, Clary, Erickson, Long, Ryhal, Herbkersman, Tinkler, Hicks, McCoy, M.S. McLeod, Douglas, Henegan, Allison, Quinn, Funderburk and Finlay

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Introduced in the House on January 12, 2016

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

Summary: Adoption of foster children

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/3/2015 House Prefiled

12/3/2015 House Referred to Committee on **Judiciary**

1/12/2016 House Introduced and read first time ([House Journal‑page 81](file:///h:\HJ%20Archive\2016\01-12-16.docx))

1/12/2016 House Referred to Committee on **Judiciary** ([House Journal‑page 81](file:///h:\HJ%20Archive\2016\01-12-16.docx))

3/2/2016 House Member(s) request name added as sponsor: Collins, Clary, Erickson, Long, Ryhal, Herbkersman, Tinkler, Hicks, McCoy, M.S.McLeod, Douglas, Henegan, Allison, Quinn, Funderburk

3/3/2016 House Member(s) request name added as sponsor: Finlay

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**VERSIONS OF THIS BILL**

[12/3/2015](file:///p:\pprever\2015-16\4493_20151203.docx)

**A** **BILL**

TO AMEND SECTION 63‑7‑2310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROTECTION AND NURTURING OF CHILDREN IN FOSTER CARE, SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO GIVE FIRST CONSIDERATION TO CERTAIN FOSTER PARENTS TO ADOPT FOSTER CHILDREN.

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

SECTION 1. Section 63‑7‑2310(G) of the 1976 Code is amended to read:

“(G)(1) A foster parent may apply with the department to adopt a foster child.

(2) A foster parent who has been approved by the department to adopt a foster child must be given first consideration for the adoption of the foster child if:

(a) the child has resided with the foster parent for at least six consecutive months; and

(b) the child is legally free for adoption.

(3) Adoption of a foster child by the child’s foster parent is presumed to be in the child’s best interests if the child has resided with the foster parent for at least six consecutive months.

(4) If the department denies a foster parent’s application to adopt a specific foster child who has resided with the foster parent for at least six consecutive months, the foster parent may appeal the denial to the department’s Office of Administrative Hearings. If the Office of Administrative Hearings affirms the department’s decision, the foster parent may appeal the office’s decision to the administrative law court. On appeal, the department must prove the existence of compelling reasons why adoption of the foster child by the foster parent is not in the child’s best interests.

(H) To further this state’s long‑term goals and objectives on behalf of children in foster care, the Department of Social Services shall give to the General Assembly by January 15, 2000, a report of the status of the foster care system which includes improvements the department has made to ensure the safety and quality of life of South Carolina’s foster children. This report must include:

(1) specific standards for the training of foster parents, including the type of training which is provided;

(2) standards which address emergency situations affecting the maximum number of children placed in each foster home;

(3) standards which provide for the periodic determination of the medical condition of a child during his stay in foster care; and

(4) methods the department has developed to encourage the receipt of information on the needs of children in foster care from persons who have been recently emancipated from the foster care system.”

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

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