COMMITTEE AMENDMENT AMENDED AND ADOPTED

March 23, 2016

**S. 997**

Introduced by Senators Bright, S. Martin, Peeler, Fair, Grooms, Corbin, Verdin and Bryant

S. Printed 3/23/16--S.

Read the first time January 14, 2016.

**A** **BILL**

TO AMEND CHAPTER 1, TITLE 43 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF SOCIAL SERVICES, BY ADDING SECTION 43‑1‑730 TO PROVIDE THAT REFUGEES PLACED IN THIS STATE BY THE FEDERAL GOVERNMENT MUST REGISTER WITH THE DEPARTMENT OF SOCIAL SERVICES; TO AMEND TITLE 15, CHAPTER 5 OF THE 1976 CODE, TO PROVIDE CIVIL LIABILITY FOR VOLUNTARY RESETTLEMENT ORGANIZATIONS ARISING FROM THE ACTIONS OF A REFUGEE PLACED IN THIS STATE TO WHOM THE ORGANIZATION PROVIDED SPONSORSHIP OR RESETTLEMENT SERVICES; TO PROHIBIT STATE OR LOCAL FUNDS BEING EXPENDED FOR THE DIRECT OR INDIRECT BENEFIT OF REFUGEES UNTIL LEGISLATION SPECIFICALLY AUTHORIZING THE EXPENDITURE IS ENACTED; AND TO DEFINE NECESSARY TERMS.

Amend Title To Conform

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

SECTION 1. Chapter 1, Title 43 of the 1976 Code is amended by adding:

“Section 43‑1‑730. (A)(1) Sponsors placing refugees in this State pursuant to the federal Refugee Resettlement Program are required to enroll the refugee with the Department of Social Services within thirty days of the refugee entering the State. The department shall send the enrollment information of refugees placed in this State to the South Carolina Law Enforcement Division.

(2) In order to register with the department, the sponsor shall provide the refugee’s name, address, telephone number, job status, name and contact information of the refugee’s employer, if any, all state, local, or federal assistance provided to the refugee, criminal record, and any other information that the department determines to be relevant. Within ten days of any of the information required for registration changing, the sponsor must update the refugee’s registration.

(3) The registration information required in item (2) shall be maintained by the department on a database and that database shall not be made available to the public.”

SECTION 2. Title 15, Chapter 5 of the 1976 Code is amended by adding:

“Section 15-5-220. (A) For the purposes of this section, ‘person’ shall mean any individual, firm, partnership, limited liability company, non‑profit organization, association, corporation, receiver, trustee, any group or combination acting as a unit, the State, any state agency, any instrumentality, authority, political subdivision, or municipality.

(B) A refugee’s sponsor shall be strictly liable to a person if:

(1) the refugee is in the Refugee Resettlement Program; and

(2) the refugee acted in a reckless, wilful, or grossly negligent manner, committed an act of terrorism as defined by Section 16-23-710(18), or committed one of the violent crimes defined in Section 16‑1‑60, that resulted in physical harm or injury to a person or damage to or theft of real or personal property.

If the conditions of this subsection are met, the refugee’s sponsor shall be strictly liable to the injured party. The injured party shall be entitled to recover damages in a civil action.”

SECTION 3. The State Law Enforcement Division, in conjunction with local law enforcement agencies, shall confirm that any refugees placed in South Carolina by the federal government pursuant to the Refugee Resettlement Program do not pose a public safety risk. The State Law Enforcement Division must report to the General Assembly its findings regarding public safety risks as soon as practicable.

SECTION 4. This act takes effect upon approval by the Governor.

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