**South Carolina General Assembly**

122nd Session, 2017-2018

**H. 3897**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. D.C. Moss

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Introduced in the House on March 7, 2017

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

Summary: Name change petition requirements

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/7/2017 House Introduced and read first time ([House Journal‑page 8](file:///h:\hj\20170307.docx))

3/7/2017 House Referred to Committee on **Judiciary** ([House Journal‑page 8](file:///h:\hj\20170307.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3897&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[3/7/2017](file:///p:\pprever\2017-18\3897_20170307.docx)

**A** **BILL**

TO AMEND SECTION 15‑49‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETITION REQUIREMENTS FOR A NAME CHANGE, SO AS TO ESTABLISH THAT A PETITIONER MUST ATTACH AN AFFIDAVIT PROVIDING PROOF OF RESIDENCY FOR AT LEAST ONE YEAR TO THE PETITION FOR A NAME CHANGE.

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

SECTION 1. Section 15‑49‑20(A) of the 1976 Code, as last amended by Act 229 of 2006, is further amended to read:

“(A) A person who petitions the court for a name change must attach to the petition or have provided directly to the court and made a part of the record:

(1) the results of a fingerprint and criminal background check conducted by the State Law Enforcement Division;

(2) a screening statement from the Department of Social Services that indicates whether the person is listed on the department’s Central Registry of Child Abuse and Neglect. If the person is listed on the registry and the court grants the petition for a name change, the clerk of court must notify the department of the change so that the department can accurately reflect the change in the Central Registry of Child Abuse and Neglect;

(3) an affidavit signed by the petitioner which provides whether the petitioner is under a court order to pay child support or alimony;

(4) a screening statement from the State Law Enforcement Division that indicates whether the person is listed on the division’s sex offender registry. If the person is listed on the registry and the court grants the petition for a name change, the clerk of court shall notify the division of the change so that the division can accurately reflect the change in the sex offender registry;

(5) an affidavit providing proof of residency of at least one year for the petitioner in South Carolina; and

(6) an affidavit providing his last known address and the results of a criminal background check from his last known address if the address was out of state.

This subsection does not apply to a minor child when the parent is seeking a name change for the minor child pursuant to Section 15‑49‑10(B), to a person seeking to return to the person’s maiden name or a former married name in an action for divorce, or to a person seeking to change his or her name as a result of the person’s marriage.”

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

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