**A** **BILL**

TO AMEND SECTION 63-5-70(A) OF THE 1976 CODE, RELATING TO UNLAWFUL CONDUCT TOWARD A CHILD, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON WHO HAS CHARGE OR CUSTODY OF A CHILD TO PLACE THE CHILD UNDER THE CARE OR SUPERVISION OF A PERSON WHO HAS A SUBSTANTIATED HISTORY OF CHILD ABUSE OR NEGLECT OR HAS PLED GUILTY OR NOLO CONTENDERE OR HAS BEEN CONVICTED OF AN OFFENSE AGAINST THE PERSON AS PROVIDED FOR IN CHAPTER 3, TITLE 16; AN OFFENSE AGAINST MORALITY OR DECENCY AS PROVIDED FOR IN CHAPTER 15, TITLE 16; THE OFFENSE OF CONTRIBUTING TO DELINQUENCY OF A MINOR AS PROVIDED FOR IN SECTION 16-17-490; THE COMMON LAW OFFENSE OF ASSAULT AND BATTERY OF A HIGH AND AGGRAVATED NATURE WHEN THE VICTIM WAS A PERSON SEVENTEEN YEARS OF AGE OR YOUNGER; CRIMINAL DOMESTIC VIOLENCE AS DEFINED IN SECTION 16-25-20; CRIMINAL DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE AS DEFINED IN SECTION 16-25-65; A FELONY DRUG-RELATED OFFENSE UNDER THE LAWS OF THIS STATE; UNLAWFUL CONDUCT TOWARD A CHILD AS PROVIDED FOR IN SECTION 63-5-70; CRUELTY TO CHILDREN AS PROVIDED FOR IN SECTION 63-5-80; CHILD ENDANGERMENT AS PROVIDED FOR IN SECTION 56-5-2947; OR CRIMINAL SEXUAL CONDUCT WITH A MINOR IN THE FIRST DEGREE AS PROVIDED FOR IN SECTION 16-3-655(A).

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

SECTION 1. Section 63-5-70(A) of the 1976 Code is amended to read:

“Section 63-5-70(A). It is unlawful for a person who has charge or custody of a child, or who is the parent or guardian of a child, or who is responsible for the welfare of a child as defined in Section 63-7-20 to:

(1) place the child at unreasonable risk of harm affecting the child’s life, physical or mental health, or safety;

(2) do or cause to be done unlawfully or maliciously any bodily harm to the child so that the life or health of the child is endangered or likely to be endangered; ~~or~~

(3) wilfully abandon the child; or

(4) place the child under the care or supervision of a person who:

(a) has a substantiated history of child abuse or neglect; or

(b) has pled guilty or nolo contendere to or has been convicted of:

(i) an offense against the person as provided for in Chapter 3, Title 16;

(ii) an offense against morality or decency as provided for in Chapter 15, Title 16;

(iii) the offense of contributing to delinquency of a minor as provided for in Section 16-17-490;

(iv) the common law offense of assault and battery of a high and aggravated nature when the victim was a person seventeen years of age or younger;

(v) criminal domestic violence as defined in Section 16-25-20;

(vi) criminal domestic violence of a high and aggravated nature as defined in Section 16-25-65;

(vii) a felony drug-related offense under the laws of this State;

(viii) unlawful conduct toward a child as provided for in Section 63-5-70;

(ix) cruelty to children as provided for in Section 63-5-80;

(x) child endangerment as provided for in Section 56-5-2947; or

(xi) criminal sexual conduct with a minor in the first degree as provided for in Section 16-3-655(A).”

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

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