**South Carolina General Assembly**

123rd Session, 2019-2020

**A144, R150, S181**

**STATUS INFORMATION**

General Bill

Sponsors: Senators McElveen, Johnson, McLeod, Climer and Shealy

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Introduced in the Senate on January 8, 2019

Introduced in the House on February 21, 2019

Last Amended on February 19, 2019

Passed by the General Assembly on September 24, 2020

Governor's Action: September 28, 2020, Signed

Summary: Adoption

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/12/2018 Senate Prefiled

 12/12/2018 Senate Referred to Committee on **General**

 1/8/2019 Senate Introduced and read first time ([Senate Journal‑page 124](file:///h%3A%5Csj%5C20190108.docx))

 1/8/2019 Senate Referred to Committee on **Family and Veterans' Services** ([Senate Journal‑page 124](file:///h%3A%5Csj%5C20190108.docx))

 2/13/2019 Senate Committee report: Favorable with amendment **Family and Veterans' Services** ([Senate Journal‑page 12](file:///h%3A%5Csj%5C20190213.docx))

 2/19/2019 Senate Committee Amendment Adopted ([Senate Journal‑page 17](file:///h%3A%5Csj%5C20190219.docx))

 2/19/2019 Senate Read second time ([Senate Journal‑page 17](file:///h%3A%5Csj%5C20190219.docx))

 2/19/2019 Senate Roll call Ayes‑44 Nays‑0 ([Senate Journal‑page 17](file:///h%3A%5Csj%5C20190219.docx))

 2/20/2019 Senate Read third time and sent to House ([Senate Journal‑page 16](file:///h%3A%5Csj%5C20190220.docx))

 2/21/2019 House Introduced and read first time ([House Journal‑page 131](file:///h%3A%5Chj%5C20190221.docx))

 2/21/2019 House Referred to Committee on **Judiciary** ([House Journal‑page 131](file:///h%3A%5Chj%5C20190221.docx))

 5/2/2019 House Committee report: Favorable **Judiciary** ([House Journal‑page 15](file:///h%3A%5Chj%5C20190502.docx))

 5/8/2019 House Requests for debate‑Rep(s).  Rutherford, S. Williams, Garvin, Bales, McCravy, Simmons, Gilliard ([House Journal‑page 131](file:///h%3A%5Chj%5C20190508.docx))

 2/19/2020 House Debate adjourned until Tues., 3‑17‑20 ([House Journal‑page 41](file:///h%3A%5Chj%5C20200219.docx))

 9/22/2020 House Debate adjourned until Wed., 9‑23‑20 ([House Journal‑page 103](file:///h%3A%5Chj%5C20200922.docx))

 9/23/2020 House Requests for debate removed‑Rep(s).  Matthews, Rutherford and Garvin ([House Journal‑page 119](file:///h%3A%5Chj%5C20200923.docx))

 9/23/2020 House Read second time ([House Journal‑page 119](file:///h%3A%5Chj%5C20200923.docx))

 9/23/2020 House Roll call Yeas‑100 Nays‑0 ([House Journal‑page 119](file:///h%3A%5Chj%5C20200923.docx))

 9/24/2020 House Read third time and enrolled

 9/25/2020 Ratified R 150

 9/28/2020 Signed By Governor

 10/2/2020 Effective date 09/28/20

 10/2/2020 Act No.  144

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**VERSIONS OF THIS BILL**

[12/12/2018](file:///p%3A%5Cpprever%5C2019-20%5C181_20181212.docx)

[2/13/2019](file:///p%3A%5Cpprever%5C2019-20%5C181_20190213.docx)

[2/19/2019](file:///p%3A%5Cpprever%5C2019-20%5C181_20190219.docx)

[5/2/2019](file:///p%3A%5Cpprever%5C2019-20%5C181_20190502.docx)

(A144, R150, S181)

**AN ACT TO AMEND SECTION 63‑9‑80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIRED DISCLOSURE OF INFORMATION TO A PROSPECTIVE ADOPTIVE PARENT, SO AS TO ALLOW A BIOLOGICAL PARENT TO PROVIDE PERSONAL MEDICAL HISTORY AT THE TIME OF ADOPTION CONSENT OR RELINQUISHMENT, AND TO REQUIRE THAT SUCH INFORMATION BE DISCLOSED TO THE PROSPECTIVE ADOPTIVE PARENT AND TO THE ADOPTEE UPON REACHING THE AGE OF MAJORITY OR PRIOR TO THE AGE OF MAJORITY FOR GOOD CAUSE SHOWN.**

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

**Biological parent medical history, disclosure to prospective adoptive parent and adoptee**

SECTION 1. Section 63‑9‑80 of the 1976 Code, as added by Act 165 of 2018, is amended to read:

 “Section 63‑9‑80. (A) Prior to and at the time the department places a child with a prospective adoptive parent for purposes of adoption, the department shall disclose to the prospective adoptive parent all information known by the person making the placement or reasonably accessible to the person making the placement that is necessary to provide adequate care and supervision for the child and to protect the health and safety of the child and the prospective adoptive parent’s family. The information that must be disclosed to the prospective adoptive parent pursuant to this section includes, but is not limited to, medical and mental health conditions and history of the child, the nature of abuse or neglect to which the child has been subjected, behavioral strengths and challenges, and matters related to the child’s educational needs. If the department does not have this information at the time of making the placement, a member of the child’s casework team or the child’s caseworker shall contact the prospective adoptive parent and provide the information known to the casework team or reasonably accessible during the first working day following the placement. The child’s caseworker shall research the child’s record and shall supplement the information provided to the prospective adoptive parent no later than the end of the first week of placement if additional information is found. When the child’s caseworker acquires new information which is likely to affect either the ability of the prospective adoptive parent to provide adequate care and supervision for the child or is likely to place the health and safety of the child or the prospective adoptive parent’s family at risk, the department shall disclose that information to the prospective adoptive parent. The obligation to provide this information continues until the adoption is finalized.

 (B)(1) In addition to the information disclosed to the prospective adoptive parent in subsection (A), a medical history of the adoptee’s biological parents also shall be disclosed if the biological parents elected to provide that information as provided in item (2).

 (2) At the time that consent or relinquishment for the purpose of adoption is given by a person required to do so pursuant to Section 63‑9‑310(A)(2)‑(5), the person giving consent or relinquishment may provide a medical history of the adoptee’s biological parents. The medical history must be in a form that does not disclose any personally identifiable information of the biological parents.

 (3) If a medical history is disclosed pursuant to item (1), then the medical history may be disclosed to the adoptee upon reaching the age of majority or under circumstances prior to the adoptee reaching the age of majority for good cause shown.”

**Time effective**

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

Ratified the 25th day of September, 2020.

Approved the 28th day of September, 2020.

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