**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 3267**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. McDaniel

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Introduced in the House on January 8, 2019

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

Summary: Child abuse and neglect, mandated reporting

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/18/2018 House Prefiled

12/18/2018 House Referred to Committee on **Judiciary**

1/8/2019 House Introduced and read first time ([House Journal‑page 151](file:///h:\hj\20190108.docx))

1/8/2019 House Referred to Committee on **Judiciary** ([House Journal‑page 151](file:///h:\hj\20190108.docx))

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**VERSIONS OF THIS BILL**

[12/18/2018](file:///p:\pprever\2019-20\3267_20181218.docx)

**A** **BILL**

TO AMEND SECTION 63‑7‑310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANDATED REPORTERS OF CHILD ABUSE OR NEGLECT, SO AS TO REQUIRE CERTAIN TRAINING OF MANDATED REPORTERS AND FOR OTHER PURPOSES.

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

SECTION 1. Section 63‑7‑310 of the 1976 Code, as last amended by Act 222 of 2018, is further amended by adding subsections (G) and (H) at the end to read:

“(G)(1) An employer is strongly encouraged to provide employees who are mandated reporters with training in the duties imposed by this subarticle. This training must include training in child abuse or neglect identification and training in child abuse or neglect reporting. Whether or not an employer provides employees with training in child abuse or neglect identification and reporting, the employer shall provide employees who are mandated reporters with the statement required pursuant to subsection (H).

(2) Notwithstanding item (1), every school district annually shall provide training to employees and other individuals working with the school district who are mandated reporters pursuant to subsection (A) in the duties of mandated reporters imposed by this subarticle. The training must include, but not be limited to, training in child abuse or neglect identification and child abuse or neglect reporting.

(3)(a) Notwithstanding item (1), a childcare facility licensee applicant shall complete training in the duties of mandated reporters under the child abuse or neglect reporting laws as a condition of licensure, and a childcare facility owner or operator, or an employee of a licensed childcare facility, shall complete training in the duties of mandated reporters during the first ninety days of employment with the facility.

(b) A person specified in subitem (a) who becomes a licensee, owner, operator, or employee of a licensed childcare facility shall take renewal mandated reporter training every two years following the date on which the person completed the initial mandated reporter training. The training must include, but not be limited to, training in child abuse or neglect identification and child abuse or neglect reporting.

(4) Unless otherwise specifically provided, the absence of training does not excuse a mandated reporter from the duties imposed by this subarticle.

(5) No later than six months after the effective date of this act, the department shall develop and offer appropriate training curricula to employers for use and may contract with any qualified organization to deliver the training.

(6) For purposes of this section, a foster parent or a volunteer non‑attorney guardian ad litem is considered an employee, and the Department of Social Services or the South Carolina Guardian Ad Litem Program or Richland County CASA is considered an employer.

(H) On and after July 1, 2019, any mandated reporter, as specified in subsection (A), prior to commencing employment, and as a prerequisite to that employment, shall sign a statement on a form provided to that employee by the employer to the effect that the employee has knowledge of the provisions of this subarticle regarding the requirement to report child abuse or neglect and shall comply with those requirements. The statement must inform the employee that the person is a mandated reporter and inform the employee of the reporting obligations. The employer shall maintain a copy of the signed statement in the employee’s personnel file, as well as copies of any training certification received by the employee pursuant to subsection (G).”

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

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