**A** **BILL**

TO AMEND SECTION 63‑19‑2040 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE RELEASE OF THE NAME, IDENTITY, OR PICTURE OF A CHILD UNDER THE JURISDICTION OF THE FAMILY COURT, TO PERMIT THE RELEASE OF THE IDENTITY OF A CHILD UNDER THE JURISDICTION OF THE COURT TO A NEWSPAPER, RADIO, OR TELEVISION STATION IF THE CHILD IS ALLEGED TO HAVE COMMUNICATED A THREAT OF MASS VIOLENCE BY MEANS OF A VIDEO, AUDIO OR INTERNET BASED SOCIAL MEDIA COMMUNICATION TO TWO OR MORE PERSONS AND THE CHILD HAS PERSONALLY IDENTIFIED HIMSELF IN THE COMMUNICATION.

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

SECTION 1. Section 63‑19‑2040 of the 1976 Code is amended to read:

“Section 63‑19‑2040. (A) The name, identity, or picture of a child under the jurisdiction of the court, pursuant to this chapter, must not be provided to a newspaper or radio or television station unless:

(1) authorized by court order;

(2) the solicitor has petitioned the court to waive the child to circuit court;

(3) the child has been bound over to a court which would have jurisdiction of the offense if committed by an adult; ~~or~~

(4) the child has publicly disseminated within a video, audio, or photographic communication a threat to commit or a threat to cause or aid the commission of mass violence with the present ability to carry out the threat, regardless of whether the threat is carried out, and has personally identified himself within the communication, to include but not be limited to the showing of his face or the stating of his name, nickname, or social media username, within the communication or within related or attached communications.

For the purpose of this subsection:

(a) ‘mass violence’ means to cause or attempt to cause the death or serious bodily injury of two or more persons in a single incident at a public building, property, school, or park, or any publicly accessible business, school, church, or gathering place, and

(b) ‘publicly disseminated’ means electronically communicated or transmitted to two or more people; or

(5) the child has been adjudicated delinquent in court for one of the following offenses:

(a) a violent crime, as defined in Section 16‑1‑60;

(b) grand larceny of a motor vehicle;

(c) a crime in which a weapon, as defined in Section 59‑63‑370, was used; or

(d) distribution or trafficking in unlawful drugs, as defined in Article 3, Chapter 53 of Title 44.

(B) When a child is bound over to the jurisdiction of the circuit court, the provisions of this section pertaining to the confidentiality of fingerprints and identity do not apply.

(C) The provisions of this section do not prohibit the distribution of information pursuant to the provisions of Article 7, Chapter 3 of Title 23.”

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

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