**A** **BILL**

TO AMEND SECTION 63‑7‑20 OF THE 1976 CODE, RELATING TO TERMS DEFINED IN THE CHILDREN’S CODE, TO DEFINE “TORTURE” AND TO INCLUDE TORTURE IN THE DEFINITION OF “CHILD ABUSE OR NEGLECT”; AND TO AMEND SECTIONS 63‑7‑1640 AND 63‑7‑2570 OF THE 1976 CODE, RELATING TO THE RIGHT TO FOREGO REASONABLE EFFORTS TOWARD REUNIFICATION AND GROUNDS FOR TERMINATION OF PARENTAL RIGHTS, RESPECTIVELY, AND TO MAKE CONFORMING CHANGES.

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

SECTION 1. A. Section 63‑7‑20(6)(a)(vi) and (vii) of the 1976 Code is amended to read:

“(vi) commits or allows to be committed against the child female genital mutilation as defined in Section 16‑3‑2210 or engages in acts or omissions that present a substantial risk that the crime of female genital mutilation would be committed against the child; ~~or~~

(vii) commits torture or allows torture to be committed upon the child; or

(viii) has committed abuse or neglect as described in subsubitems (i) through ~~(vi)~~ (vii) such that a child who subsequently becomes part of the person’s household is at substantial risk of one of those forms of abuse or neglect; or”

B. Section 63‑7‑20 of the 1976 Code is amended by adding an appropriately numbered new item at the end to read:

“( )(a) ‘Torture’ includes, but is not limited to, acts or omissions including:

(i) the infliction of severe physical or emotional pain upon a child repeatedly with the effect of terrorizing the child; or

(ii) the unreasonable or extended binding, restraint, or confinement of a child that results in prolonged suffering or severe physical injury or mental injury; or

(iii) the intentional refusal to provide for the health, safety, medical, or nutritional needs of a child over a period of time such that the child suffers or is at risk of severe physical injury or mental injury; or

(iv) assaults, psychological maltreatment, or neglect occurring over a period of time and resulting in severe physical injury or mental injury or impairment, prolonged suffering, or risk of permanent disfigurement, dysfunction, or death.

(b) For purposes of this item, ‘over a period of time’ means a single lengthy tortuous action that occurs for an extended time within a single day or longer, or more than one tortuous action over the course of a single day, multiple days, or longer.

(c) Nothing in this item is intended to restrict of limit what acts or omissions a judge may find constitute torture, or to define or limit what acts or omissions constitute severe or repeated abuse or neglect.”

SECTION 2. Section 63‑7‑1640(C)(1)(d) of the 1976 Code is amended to read:

“(d) ~~acts the judge finds constitute~~ torture; or”

SECTION 3. Section 63‑7‑2570 of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“( ) A parent has committed torture, has aided or abetted in committing torture, or has conspired to or knowingly allowed another to commit torture against the child.”

SECTION 4. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑