**South Carolina General Assembly**

125th Session, 2023-2024

**H. 3554**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. G.M. Smith, Erickson, Crawford, Hewitt, Davis, T. Moore, McCravy, B. Newton, West, Burns, Mitchell, Pace, Yow, Hixon, Hiott, Oremus, M.M. Smith, Landing, W. Newton, Robbins, Brewer, Cromer, Weeks, Wheeler, Taylor and Pope

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Introduced in the House on January 10, 2023

Introduced in the Senate on April 5, 2023

Currently residing in the House

Summary: Adoption

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/15/2022 House Prefiled

12/15/2022 House Referred to Committee on **Judiciary**

1/10/2023 House Introduced and read first time ([House Journal‑page 234](h:\hj\20230110.docx))

1/10/2023 House Referred to Committee on **Judiciary** ([House Journal‑page 234](h:\hj\20230110.docx))

1/12/2023 House Member(s) request name added as sponsor: Yow

1/18/2023 House Member(s) request name added as sponsor: Hixon, Hiott

1/19/2023 House Member(s) request name added as sponsor: Oremus,
M.M. Smith

2/1/2023 House Member(s) request name added as sponsor: Landing

3/28/2023 House Member(s) request name added as sponsor: W. Newton

3/29/2023 House Member(s) request name added as sponsor: Robbins,
Brewer

3/29/2023 House Committee report: Favorable **Judiciary** ([House Journal‑page 52](h:\hj\20230329.docx))

3/30/2023 House Member(s) request name added as sponsor: Cromer,
Weeks, Wheeler

4/4/2023 House Member(s) request name added as sponsor: Taylor, Pope

4/4/2023 House Read second time ([House Journal‑page 29](h:\hj\20230404.docx))

4/4/2023 House Roll call Yeas-106 Nays-0 ([House Journal‑page 29](h:\hj\20230404.docx))

4/5/2023 House Read third time and sent to Senate ([House Journal‑page 22](h:\hj\20230405.docx))

4/5/2023 House Roll call Yeas-105 Nays-0 ([House Journal‑page 22](h:\hj\20230405.docx))

4/5/2023 Senate Introduced and read first time ([Senate Journal‑page 2](h:\sj\20230405.docx))

4/5/2023 Senate Referred to Committee on **Judiciary**

4/20/2023 Senate Referred to Subcommittee: Talley (ch), Matthews,
McLeod, Garrett, Gustafson

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3554&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[12/15/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/3554_20221215.docx)

[03/29/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3554_20230329.docx)

Indicates Matter Stricken

Indicates New Matter

Committee Report

March 29, 2023

H. 3554

Introduced by Reps. G. M. Smith, Erickson, Crawford, Hewitt, Davis, T. Moore, McCravy, B. Newton, West, Burns, Mitchell, Pace, Yow, Hixon, Hiott, Oremus, M. M. Smith, Landing, W. Newton, Robbins and Brewer

S. Printed 03/29/23--H.

Read the first time January 10, 2023

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The committee on House Judiciary

To who was referred a Bill (H. 3554) to amend the South Carolina Code of Laws by amending Section 63-9-520, relating to adoption investigations and reports, so as to give the court the discretion to, etc., respectfully

Report:

That they have duly and carefully considered the same, and recommend that the same do pass:

WESTON NEWTON for Committee.

statement of estimated fiscal impact

Explanation of Fiscal Impact

State Expenditure

This bill provides that during adoption proceedings, if the waiting period exceeds one year, the court may waive the requirements for an updated preplacement investigation report, and the court may also waive the postplacement investigation report after the filing of the adoption petition. Judicial anticipates this bill will have no expenditure impact as using discretion to make determinations on court proceedings is within the normal course of business for the family court. Additionally, DSS anticipates this bill will have no expenditure impact. While waiving of an updated preplacement investigation report or postplacement investigation report may result in an initial savings of resources for the agency, these savings will be used to perform other investigations for child.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

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A bill

to amend the South Carolina Code of Laws by amending Section 63-9-520, relating to adoption Investigations and reports, so as to give the court the discretion to waive the requirement for certain preplacement reports and any postplacement investigation and report; and by amending Section 63-9-510, relating to Temporary placement and custody of adoptees, so as to make conforming changes.

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

SECTION 1. Section 63-9-520(A)(1)(b) and (2) before the lettered subitems of the S.C. Code is amended to read:

(b) if the waiting period for an adoptive placement exceeds one year from the date the preplacement investigation report is completed, the report must be updated before the placement of a child for the purpose of adoption to determine any change in circumstances; provided, the court in its discretion may waive the requirement for an updated preplacement investigation report;

(2) A postplacement investigation and report of this investigation must be completed after the filing of the adoption petition; provided, the court in its discretion may waive the requirement for a postplacement investigation and report. Copies of this report must be provided to the adoption petitioner and must be filed with the court at the final hearing on the adoption provided for in Section 63-9-750. A postplacement investigation and report of this investigation must:

SECTION 2. Section 63-9-510 of the S.C. Code is amended to read:

Section 63-9-510. Once a petitioner has received the adoptee into his home and a petition for adoption has been filed, the petitioner has temporary custody of the adoptee and is responsible for the care, maintenance, and support of the adoptee, including necessary medical or surgical treatment, except as provided in Article 7. Unless waived by the court, a postplacement investigation and report of this investigation pursuant to Section 63-9-520 must be completed before the final hearing. Unless the adoptee is removed pursuant to Subarticle 3, Article 3, Chapter 7, when adoptive parents have received the adoptee into their home for the purpose of adoption but no petition has been filed pursuant to Section 63-9-710, the child-placing agency shall secure an order from the family court before removal of the child from the adoptive parents. At the hearing the burden of proof is on the child-placing agency to prove that continued placement with the adoptive family is not in the adoptee's best interest.

SECTION 3. This act takes effect upon approval by the Governor.

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