**South Carolina General Assembly**

126th Session, 2025-2026

**S. 651**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Kimbrell

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Currently residing in the Senate

Summary: Office of Parental Rights

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

5/6/2025 Senate Introduced and read first time

5/6/2025 Senate Referred to Committee on **Judiciary**

5/7/2025 Scrivener's error corrected

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**VERSIONS OF THIS BILL**

[05/06/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/651_20250506.docx)

[05/07/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/651_20250507.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 35 TO TITLE 1, SO AS TO ESTABLISH THE OFFICE OF PARENTAL RIGHTS IN THE EXECUTIVE OFFICE OF THE GOVERNOR; TO DEFINE “PARENT”; TO PROHIBIT THE STATE FROM INFRINGING ON THE FUNDAMENTAL RIGHTS OF A PARENT TO DIRECT THE UPBRINGING, EDUCATION, HEALTHCARE, AND MENTAL HEALTHCARE OF THE PARENT’S MINOR CHILD; AND TO PROVIDE THAT THE OFFICE OF PARENTAL RIGHTS SHALL INVESTIGATE COMPLAINTS FROM PARENTS CONCERNING UNLAWFUL GOVENMENTAL INFRINGEMENT OF THEIR PARENTAL RIGHTS AND TO PROVIDE THAT THE OFFICE SHALL REMEDY VIOLATIONS.

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

SECTION 1. Title 1 of the S.C. Code is amended by adding:

CHAPTER 35

Office of Parental Rights

Section 1‑35‑10. There is created within the executive office of the Governor, the Office of Parental Rights which shall investigate allegations that state or local officials have violated parental rights. If criminal activity is discovered during an investigation, then the office shall refer its findings to the local solicitor or the Attorney General for further investigation and prosecution when warranted.

Section 1‑35‑20. For the purposes of this chapter, “parent” means a person who has legal custody of a minor as a natural or adoptive parent or a legal guardian.

Section 1‑35‑30. (A) The State and its political subdivisions may not infringe on the fundamental rights of a parent to direct the upbringing, education, healthcare, and mental health of his minor child without demonstrating that such action is reasonable and necessary to achieve a compelling state interest and that such action is narrowly tailored and is not otherwise served by a less restrictive means.

(B) All parental rights are reserved to the parent of a minor in this state without obstruction or interference from the state, any of its political subdivisions, any other governmental entity, or any other institution, including, but not limited to, the right to:

(1) direct the minor’s education and care;

(2) direct the minor’s upbringing and moral or religious training;

(3) access and review all his minor’s school records;

(4) make the minor’s healthcare decisions, including the right to provide prior consent to medical procedures except in emergency situations where the life of the minor is at risk; and

(5) access and review all of his minor’s healthcare records unless the parent is the subject of a criminal investigation related to a crime committed against the minor and a court prohibits the release of the records.

(C) The provisions of this section do not:

(1) authorize a parent to engage in conduct that is unlawful or to abuse or neglect his minor in violation of general law;

(2) condone, authorize, approve, or apply to a parental action or decision that would end life;

(3) prohibit a court of competent jurisdiction, law enforcement officer, or employees of a government agency that is responsible for child welfare from acting in his official capacity within the reasonable and prudent scope of his authority; or

(4) prohibit a court of competent jurisdiction from issuing an order that is otherwise permitted by law.

Section 1‑35‑40. (A) The office may commence an investigation on the filing of a verified complaint by a parent that his parental rights have been violated. The verified complaint must identify the name of the person, agency, or political subdivision who allegedly violated complainant’s parental rights, and a detailed explanation of the alleged violation. A copy of the complaint must be forwarded to the person, agency, or political subdivision against whom the complaint was filed.

(1) If the office determines that the complaint does not allege facts sufficient to constitute a violation, then the office must dismiss the complaint and notify the complainant and the respondent.

(2) If the office determines that the complaint alleges facts sufficient to constitute a violation, then an investigation of the complaint must be conducted.

(B) In conducting an investigation, the office’s director may order testimony to be taken in any investigation or hearing by deposition before a person who is designated by the commission and has the power to administer oaths and, in these instances, to compel testimony. The director may administer oaths and affirmation for the testimony of witnesses and issue subpoenas, subject to judicial enforcement, and issue subpoenas for the procurement of witnesses and materials including books, papers, records, documents, or other tangible objects relevant to the office’s investigation, subject to judicial enforcement. If the office determines that assistance is needed in conducting an investigation, the commission shall request the assistance of appropriate agencies.

(C) If the office determines that a violation occurred, then the office shall direct remedial action to be taken by the violator to cure the parental rights violation. The violator must implement the remedy imposed by the office.

(D) The office’s final actions related to a complaint, its investigation, the determination of whether a violation occurred, and its remedies are subject to judicial review.

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

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