

From: Patel, Swati <SwatiPatel@gov.sc.gov>
To: Williamson, Virginia <Virginia.Williamson@dss.sc.gov>
Veldran, Katherine <KatherineVeldran@gov.sc.gov>
Date: 4/10/2014 12:19:00 PM
Subject: RE: 1163

We can ask.

From: Williamson, Virginia [mailto:Virginia.Williamson@dss.sc.gov]
Sent: Wednesday, April 09, 2014 7:25 AM
To: Patel, Swati; Veldran, Katherine
Subject: 1163

Swati and Katherine: I do not know whether you all had a chance to listen to Judiciary yesterday. They amended 1163 to delete the immunity provision. I could not tell whether they deleted in 63-7-940 AND 63-7-1990, or just 63-7-940.

When Sen. Malloy started asking questions about the language in Section 63-7-940, one of Sen. Young's answers was that it offered the same immunity provided in the Tort Claims Act. There was discussion about duplication.

To assure there is no argument that the General Assembly somehow waived immunity when it allowed civil suit, do you think Senator Young would add this language to 63-7-940(B)? This language is consistent with what he said at the Committee meeting.

Except as authorized in this section, no person may disseminate or permit dissemination of information maintained pursuant to subsection (A). A person who disseminates or permits dissemination in violation of this subsection is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand five hundred dollars or imprisoned not more than one year, or both. A person aggrieved by an unlawful dissemination in violation of this subsection may bring a civil action to recover damages incurred as a result of the unlawful act and to enjoin its dissemination or use. This provision shall not be construed to waive or otherwise limit any immunity provided under the South Carolina Tort Claims Act.

Virginia E. Williamson
General Counsel
South Carolina Department of Social Services
1535 Confederate Ave. Ext.
PO Box 1520
Columbia, SC 29201
Phone 803-898-7368
Fax 803-898-7245