

## HCS SB 84 -- PLACEMENT OF CHILDREN

SPONSOR: Champion (Franz)

COMMITTEE ACTION: Voted "do pass" by the Special Committee on Family Services by a vote of 9 to 0.

This substitute changes the laws regarding the placement of children who are in the custody of the state.

### CRIMINAL BACKGROUND CHECKS

Family members who are caring for a child, after an emergency placement has occurred, will not be exempt from a criminal background check. Currently, a check must be made within 15 business days, and there is an exception for conducting checks for family members who are within the second degree of consanguinity of the child. The substitute requires that a check must be made within 15 calendar days. This change is consistent with the Federal Bureau of Investigation regulations on the emergency use of its system for checks for the placement of children in out-of-home care.

### INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN

The substitute changes the laws regarding the Interstate Compact for the Placement of Children. The substitute:

- (1) Establishes a process and the operating procedures to place children subject to the compact in safe and suitable homes in a timely manner;
- (2) Facilitates ongoing supervision of a placement, delivery of services, and communication between the states;
- (3) Authorizes the Interstate Commission for the Placement of Children to implement the provisions of the compact and to regulate the specified activities of the member states;
- (4) Provides for uniform data collection and information sharing between member states;
- (5) Promotes coordination between the compact, the Interstate Compact for Juveniles, the Interstate Compact on Adoption and Medical Assistance, and other compacts affecting the placement of and services to children otherwise subject to this compact;
- (6) Provides for a state's continuing legal jurisdiction and responsibility for the placement and care of a child that it would have had if the placement was intrastate;

(7) Provides guidelines, in collaboration with Indian tribes, for interstate cases involving Indian children;

(8) Requires that a family support team meeting or juvenile court proceeding regarding the termination of parental rights be closed if a parent has terminated, in writing, his or her parental rights regarding a placement in a licensed child placing agency; and

(9) Allows a licensed child placing agency to file a petition for the transfer of custody.

#### TERMINATION OF PARENTAL RIGHTS

A juvenile officer or the juvenile division of the circuit court must file a petition for the termination of parental rights within 60 days of the judicial determination. Filing a petition after 60 days will not prohibit the court's jurisdiction to adjudicate a petition for the termination of parental rights.

FISCAL NOTE: No impact on state funds in FY 2008, FY 2009, and FY 2010.

PROPOSERS: Supporters say that the bill is very important because it makes the necessary changes to better serve the needs of children.

Testifying for the bill were Senator Champion; and Department of Social Services.

OPPOSERS: There was no opposition voiced to the committee.