

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 2258

PRINTER'S NO. 3849

AMOUNT

No Fiscal Impact

FUND

General

DATE INTRODUCED

February 16, 2010

PRIME SPONSOR

Representative Briggs

HISTORY OF BILL

Referred to CHILDREN AND YOUTH, Feb. 16, 2010

Reported as amended, April 21, 2010

First consideration, April 21, 2010

Laid on the table, April 21, 2010

Removed from table, April 26, 2010

Re-committed to APPROPRIATIONS, April 26, 2010

Re-reported as committed, May 26, 2010

Second consideration, May 26, 2010

Third consideration, with amendments, June 7, 2010

Final passage, June 7, 2010 (189-0)

(Remarks see House Journal Page), June 7, 2010

In the Senate

Referred to JUDICIARY, June 9, 2010

Reported as committed, June 29, 2010

First consideration, June 29, 2010

Laid on the table, July 3, 2010

Removed from table, Sept. 22, 2010

Re-referred to Appropriations, Sept. 27, 2010

Re-reported as committed, Oct. 12, 2010

DESCRIPTION AND PURPOSE OF BILL

HB 2258 amends Section 6351 (b) of Title 42 (Judiciary and Judicial Procedure) relating to preplacement findings in respect to a dependent child. Prior to entering an order removing a child from the child's home, the court must determine whether reasonable efforts were made prior to the child's placement to place the child and the child's siblings together (if the sibling is subject to removal from the home) or whether such joint placement is contrary to the safety or well-being of the child or sibling.

SENATE APPROPRIATIONS COMMITTEE

FISCAL NOTE

If a sibling of a child has been removed from the home and is in a different placement setting than the child, the court shall enter an order to ensure visitation between the child and the child's sibling no less than twice a month. An exception is made if the court finds that visitation is contrary to the safety or well-being of the child or sibling.

Section 6351 (f) of the act is amended to add that at each permanency hearing the court shall determine whether reasonable efforts were made to place the child and sibling of the child together or whether such joint placement is contrary to the safety or well-being of the child or sibling. This applies in a case where a sibling of a child has been removed from his home and is in a different placement setting than the child. The court shall also determine if the child has a sibling whether visitation of the child with that sibling is occurring no less than twice a month, unless a finding is made that visitation is contrary to the safety or well-being of the child or sibling.

The act shall take effect in 60 days.

FISCAL IMPACT:

The Federal Fostering Connections to Success and Increasing Adoptions Act of 2008 made it a federal statutory requirement that agencies make reasonable efforts to place siblings together and to maintain connections when placement together is not possible.

The Department of Public Welfare notes that the requirements in the state legislation are current practice within the Office of Children, Youth and Families and county agencies and are consistent with the federal legislation and its requirements. Therefore, the department does not anticipate any additional costs as a result of this legislation.