

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1058 Session of 2023

INTRODUCED BY KRAJEWSKI, BENHAM, PROBST, MADDEN, WAXMAN, SANCHEZ, FIEDLER, HILL-EVANS, GUENST, RABB, KINSEY, HOWARD, PARKER, KHAN, CERRATO AND GREEN, APRIL 28, 2023

AS REPORTED FROM COMMITTEE ON CHILDREN AND YOUTH, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 7, 2023

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in juvenile matters,
3 further providing for DEFINITIONS AND FOR notice and hearing. <--

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 6336.1(a) of Title 42 of the Pennsylvania <--
7 Consolidated Statutes is amended to read:

8 SECTION 1. SECTION 6302 OF TITLE 42 OF THE PENNSYLVANIA <--
9 CONSOLIDATED STATUTES IS AMENDED BY ADDING A DEFINITION TO READ:

10 § 6302. DEFINITIONS.

11 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
12 SHALL HAVE, UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE, THE
13 MEANINGS GIVEN TO THEM IN THIS SECTION:

14 \* \* \*

15 "POTENTIAL KINSHIP CARE RESOURCE." AN INDIVIDUAL WHO MEETS
16 THE REQUIREMENTS TO BE AN EMERGENCY CAREGIVER AND HAS EXPRESSED
17 A WILLINGNESS TO BE A KINSHIP CAREGIVER FOR A DEPENDENT CHILD.

1 \* \* \*

2 SECTION 2. SECTION 6336.1 OF TITLE 42 IS AMENDED TO READ:

3 § 6336.1. Notice and hearing.

4 (a) General rule.--The court shall direct the county agency  
5 or juvenile probation department to provide the child's foster  
6 parent, preadoptive parent [or], relative providing care for the  
7 child ~~or individual seeking to become a A POTENTIAL kinship care~~ <--  
8 ~~resource under 67 Pa.C.S. § 7507(c) (relating to Kinship Care~~  
9 ~~Program)~~ with timely notice of the hearing. The court shall  
10 provide the child's foster parent, preadoptive parent or  
11 relative providing care for the child the right to be heard at  
12 any hearing under this chapter. ~~The court shall provide an~~ <--  
13 ~~individual seeking to become a A POTENTIAL kinship care resource~~ <--  
14 ~~with the right to be heard DURING A SCHEDULED HEARING OR AT A~~ <--  
15 ~~SEPARATE DISPOSITIONAL HEARING, but only as to the individual's~~  
16 ~~qualifications to provide kinship care, at any hearing under~~ <--  
17 ~~this chapter.~~ KINSHIP CARE. ONCE A POTENTIAL KINSHIP CARE <--  
18 RESOURCE HAS HAD AN OPPORTUNITY TO ADDRESS THE COURT, THE COURT  
19 SHALL RENDER A DECISION AS TO WHETHER THE POTENTIAL KINSHIP CARE  
20 RESOURCE MAY RECEIVE NOTICE OR PARTICIPATE IN FUTURE HEARINGS  
21 UNDER THIS CHAPTER. Unless a foster parent, preadoptive parent  
22 [or], relative providing care ~~or individual seeking to become a~~ <--  
23 ~~kinship care resource~~ for a child has been awarded legal custody  
24 pursuant to section 6357 (relating to rights and duties of legal  
25 custodian), nothing in this section shall give the foster  
26 parent, preadoptive parent [or], relative providing care ~~or~~  
27 ~~individual seeking to become a A POTENTIAL kinship care resource~~ <--  
28 for the child legal standing in the matter being heard by the  
29 court.

30 \* \* \*

1 Section ~~2~~ 3. This act shall take effect in 60 days.

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