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HOUSE BILL NO. 1325

House Amendments in [] - February 13, 2006

A BILL to amend and reenact § 16.1-290 of the Code of Virginia, relating to support for a committed juvenile.

Patron Prior to Engrossment—Delegate Caputo

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:**1. That § 16.1-290 of the Code of Virginia is amended and reenacted as follows:**

§ 16.1-290. Support of committed juvenile; support from estate of juvenile.

A. Whenever (i) legal custody of a juvenile is vested by the court in someone other than his parents or (ii) a juvenile is placed in temporary shelter care regardless of whether or not legal custody is retained by his parents, after due notice *in writing* to the parents ~~or other persons legally obligated to care for and support the juvenile, and after an investigation and hearing, the court, pursuant to § 20-108.1 and 20-108.2, or the Department of Social Services, pursuant to § 63.2-1918, shall order and decree that the parents to or other legally obligated person shall pay, in such a manner as the court may direct, a reasonable sum commensurate with the ability to pay, that will cover all or part of the cost of support and treatment of the juvenile after the decree is entered support to the Department of Social Services. If the parents or other legally obligated person willfully fails or refuses to pay such sum support, the court may proceed against him them for contempt, or the order may be filed and shall have the effect of a civil judgment.~~

B. If a juvenile has an estate in the hands of a guardian or trustee, the guardian or trustee may be required to pay for his education and maintenance so long as there may be funds for that purpose.

C. Whenever a juvenile is placed in foster care by the court, the court shall order and decree that the parents ~~or other legally obligated person~~ shall pay the Department of Social Services pursuant to §§ 20-108.1, 20-108.2, 63.2-909, and 63.2-1910.

D. Whenever a juvenile is placed in temporary custody of the Department pursuant to subdivision A 4a of § 16.1-278.8 or committed to the Department pursuant to subdivision A 14 or A 17 of § 16.1-278.8, the Department shall apply for child support with the ~~appropriate division in the~~ Department of Social Services ~~responsible for child support enforcement. The parents shall be responsible for child support, pursuant to § 20-108.1 and 20-108.2, from the date the Department receives the juvenile. The Department [of Social Services] shall notify in writing the parents of their responsibilities to pay child support from the date the Department receives the juvenile.~~

ENGROSSED

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