

VIRGINIA ACTS OF ASSEMBLY -- 1997 SESSION

CHAPTER 420

An Act to amend and reenact § 63.1-204.3 of the Code of Virginia, relating to foster care; support.

[H 2840]

Approved March 15, 1997

Be it enacted by the General Assembly of Virginia:

1. That § 63.1-204.3 of the Code of Virginia is amended and reenacted as follows:

§ 63.1-204.3. Child support for child placed in foster care where legal custody remains with parent or guardian.

Responsible persons shall pay child support for a child placed in foster care through an agreement where legal custody remains with the parent or guardian pursuant to subdivision 4 of § 16.1-278.2 or § 63.1-56, from the date that the child was placed in foster care. The agreement between the parents and the local board of social services or public agency shall include provisions for the payment of child support. In fixing the amount of support, the court or, the Division of Child Support Enforcement, *the local board or the public agency* shall consider the extent to which the payment of support by the responsible person may affect the ability of such responsible person to implement a foster care plan developed pursuant to § 16.1-281. *If the responsible person fails or refuses to pay such sum on a timely basis, the local board or public agency may petition the juvenile court to order such payment.*