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**SENATE BILL NO. 84****AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee on Rehabilitation and Social Services)

(Patron Prior to Substitute—Senator Favola)

Senate Amendments in [ ] - February 14, 2012

*A BILL to amend and reenact § 63.2-905.1 of the Code of Virginia, relating to foster care; independent living services.*

**Be it enacted by the General Assembly of Virginia:****1. That § 63.2-905.1 of the Code of Virginia is amended and reenacted as follows:**

§ 63.2-905.1. Independent living services.

Local departments and licensed child-placing agencies may provide independent living services to any person between 18 and 21 years of age who is in the process of transitioning from foster care to self-sufficiency. Any person who was committed or entrusted to a local board or licensed child-placing agency may choose to discontinue receiving independent living services any time before his twenty-first birthday in accordance with regulations adopted by the Board. The local board or licensed child-placing agency shall restore independent living services at the request of that person provided that (i) the person has not yet reached 21 years of age and (ii) the person has entered into a written agreement, less than 60 180 days after independent living services have been discontinued, with the local board or licensed child-placing agency regarding the terms and conditions of his receipt of independent living services. Local departments that provide independent living services to persons between 18 and 21 years of age shall provide any person who chooses to leave foster care or terminate independent living services before his twenty-first birthday written notice of his right to request restoration of independent living services in accordance with this section by including such written notice in the person's transition plan. Such transition plan shall be created at least 90 days prior to the person's discharge from foster care. Local departments and licensed child-placing agencies may provide independent living services as part of the foster care services provided to any child 14 years of age or older. All independent living services shall be provided in accordance with regulations adopted by the board.

**[ 2. That the provisions of this act shall not become effective unless an appropriation of general funds effectuating the purposes of this act is included in a general appropriations act passed by the 2012 Session of the General Assembly, which becomes law. ]**

ENGROSSED

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