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SENATE BILL NO. 1315

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Governor
on March 24, 2017)

(Patron Prior to Substitute—Senator Carrico)

A *BILL to amend and reenact § 63.2-904 of the Code of Virginia, relating to foster care; possession of firearm.*

Be it enacted by the General Assembly of Virginia:

1. That § 63.2-904 of the Code of Virginia is amended and reenacted as follows:

§ 63.2-904. Investigation, visitation, and supervision of foster homes or independent living arrangement; possession and storage of firearms; removal of child.

A. Before placing or arranging for the placement of any such child in a foster home or independent living arrangement, a local board or licensed child-placing agency shall cause a careful study to be made to determine the suitability of such home or independent living arrangement, and after placement shall cause such home or independent living arrangement and child to be visited as often as necessary to protect the interests of such child.

B. Every local board or licensed child-placing agency that places a child in a foster home or independent living arrangement shall maintain such supervision over such home or independent living arrangement as shall be required by the standards and policies established by the Board.

C. Whenever any child placed by a local board or licensed child-placing agency and still under its control or supervision is subject, in the home in which he is placed, to unwholesome influences or to neglect or mistreatment, or whenever the Commissioner shall so order, such local board or agency shall cause the child to be removed from such home and shall make for him such arrangements as may be approved by the Commissioner.

D. Consistent with the reasonable and prudent parent standard defined in 42 U.S.C. § 675(10)(A), caregivers for children in foster care shall support normalcy for such children. The Board shall adopt regulations to assist local boards and licensed child-placing agencies in carrying out practices that support careful and sensible parental decisions that maintain the health, safety, and best interest of the child while at the same time encouraging his emotional and developmental growth.

E. *Possession of any firearm or other weapon in the foster home shall comply with federal and state laws and local ordinances. The individual providing foster care services shall store all firearms and other weapons in a locked closet or cabinet. Any firearm equipped with a mechanism that is designed to prevent the firearm from being operated without first deactivating the mechanism must be stored with such mechanism activated. Ammunition shall be stored in a separate locked closet or cabinet. The key or combination to any locked closet or cabinet shall be maintained out of the reach of all children in the home.*