

Department of Planning and Budget 2017 Fiscal Impact Statement

1. **Bill Number:** HB1604-ER

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. **Patron:** Bell, Richard P.

3. **Committee:** Passed Both Houses

4. **Title:** Foster care; reasonable efforts to prevent removal of child.

5. **Summary:** Allows a local board of social services to take a child into immediate custody pursuant to an emergency removal order in cases in which the child is alleged to have been abused or neglected, and allows a court to issue certain orders in such cases, without requiring that reasonable efforts be made to prevent removal of the child from his home if (i) the parental residual rights of the child's parent over a sibling were involuntarily terminated; (ii) the parent was convicted of murder or voluntary manslaughter, or a felony attempt, conspiracy, or solicitation to commit any such offense, if the victim was a child of or resided with the parent or was the other parent of the child; (iii) the parent was convicted of felony assault resulting in serious bodily injury or felony bodily wounding resulting in serious bodily injury or felony sexual assault, if the victim was a child of or resided with the parent; or (iv) on the basis of clear and convincing evidence, the parent has subjected any child to aggravated circumstances or abandoned a child under circumstances that would justify the termination of residual parental rights. The bill provides that, in each permanency planning hearing and in any hearing regarding the transition of the child from foster care to independent living, the court shall consult with the child, unless the court finds that such consultation is not in the best interests of the child. The bill makes other changes related to foster care to comply with federal requirements.

6. **Budget Amendment Necessary:** No.

7. **Fiscal Impact Estimates:** Final. See Item 8.

8. **Fiscal Implications:** This bill does not have a fiscal impact; however, without the implementation of this bill, the Department may be at risk of potential federal penalties and title IV-E funding disallowances relating to its title IV-E Program Improvement Plan.

9. **Specific Agency or Political Subdivisions Affected:** Department of Social Services, local Departments of Social Services, Juvenile and Domestic Relations District Courts

10. **Technical Amendment Necessary:** No.

11. Other Comments: