

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: S2/16/09

A Bill

SENATE BILL 351

5 By: Senator J. Key
6 By: Representative J. Dickinson
7

For An Act To Be Entitled

10 AN ACT TO AMEND THE PROVISIONS REGARDING THE
11 ELIGIBILITY FOR A RELATIVE GUARDIANSHIP SUBSIDY
12 FOR A CHILD; AND FOR OTHER PURPOSES.
13

Subtitle

14 TO AMEND THE PROVISIONS REGARDING THE
15 ELIGIBILITY FOR A RELATIVE GUARDIANSHIP
16 SUBSIDY FOR A CHILD.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 9-8-204(a), regarding eligibility for a
23 guardianship subsidy, is amended to read as follows:

24 (a) A child is eligible for a guardianship subsidy if the Department
25 of Human Services determines the following:

26 (1) The child has been removed from the custody of his or her
27 parent or parents as a result of a judicial determination to the effect that
28 continuation in the custody of the parent or parents would be contrary to the
29 welfare of the child;

30 (2) The department is responsible for the placement and care of
31 the child;

32 (3) Being returned home or being adopted is not an appropriate
33 permanency option for the child;

34 (4) Permanent placement with a guardian is in the child's best
35 interest;

36 (5) The child demonstrates a strong attachment to the



1 prospective guardian and the guardian has a strong commitment to caring
2 permanently for the child;

3 (6) With respect to a child who has attained fourteen (14) years
4 of age, the child has been consulted regarding the guardianship;

5 (7) If permitted or required by the funding stream, the guardian
6 is qualified pursuant to a means-based test;

7 (8) If permitted or required by the funding stream, the
8 necessary degree of relationship exists between the prospective guardian and
9 the child; ~~and~~

10 (9) The child has special needs~~+~~; and

11 (10) The child:

12 (A) Is eligible for Title IV-E foster care maintenance
13 payments; and

14 (B) While in the custody of the department, resided in the
15 home of the prospective relative guardian for at least six (6) consecutive
16 months and the prospective relative guardian was licensed or approved as
17 meeting the licensure requirements as a foster family home.

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19 /s/ J. Key
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