

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1974

5 By: Representative D. Meeks
6 By: Senator Hester
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING CHILDREN TAKEN
10 INTO PROTECTIVE CUSTODY UNDER THE CHILD MALTREATMENT
11 ACT; AND FOR OTHER PURPOSES.
12
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Subtitle

15 TO AMEND THE LAW CONCERNING CHILDREN
16 TAKEN INTO PROTECTIVE CUSTODY UNDER THE
17 CHILD MALTREATMENT ACT.
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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 § 12-18-1001(d), concerning the filing of a
23 petition for dependency-neglect after the Department of Human Services
24 assesses the health and safety of a child, is amended to read as follows:

25 (d)(1) If the department assesses the health and safety of a child and
26 determines that the child cannot safely remain in the care, custody, or
27 control of the legal parent, guardian, or custodian without the
28 implementation of a protection plan, the department ~~shall file a petition for~~
29 ~~dependency-neglect~~ may implement a protection plan that allows the child to
30 remain in his or her place of residence and includes services to address the
31 safety of the child.

32 (2)(A) If a protection plan is implemented under subdivision
33 (d)(1) of this section, then the department shall reassess the health and
34 safety of the child within thirty (30) days of the date on which the
35 protection plan was implemented.

36 (B) If the department determines that a substantial risk



1 of harm to the health and safety of the child remains after a reassessment
2 under subdivision (d)(2)(A) of this section is performed, then the department
3 shall file a petition for dependency-neglect.

4 (3) This subsection does not apply if the parent, guardian, or
5 custodian is not the alleged offender and the parent, guardian, or custodian
6 is not alleged to have failed to protect the child.

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9 **APPROVED: 04/05/2017**
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