

**ARKANSAS SENATE**  
91st General Assembly - Regular Session, 2017  
**Amendment Form**

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**Subtitle of Senate Bill No. 40**

TO AMEND PROVISIONS IN THE JUVENILE CODE CONCERNING THE PLACEMENT OF JUVENILES.

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**Amendment No. 1 to Senate Bill No. 40**

Amend Senate Bill No. 40 as originally introduced:

Page 1, line 33, delete "investigation" and substitute "assessment"

AND

Page 1, line 34, delete "nonrespondent" and substitute "noncustodial"

AND

Page 1, delete lines 35 and 36, and substitute the following:

"(ii) Recommended relatives of the juvenile, including each grandparent of the juvenile, and all parents of the juvenile's sibling if the parent has custody of the sibling; and"

AND

Page 2, delete lines 1 and 2

AND

Page 2, line 3, delete "(iv)" and substitute "(iii)"

AND

Page 2, delete line 8, and substitute the following:

"case.

(C) During the assessment under subdivision (b)(1)(A) of this section, the department shall:

(i) Inform in writing persons identified under subdivisions (b)(1)(A)(i)-(iii) of this section of the pendency of the proceeding and of the opportunity to obtain placement of the juvenile; and

(ii) Comply with the requirements of § 9-28-108."

AND



Page 2, line 9, delete "(C)" and substitute "(D)"

AND

Page 2, line 13, delete "investigation" and substitute "assessment"

AND

Page 2, delete line 15, and substitute the following:

"(ii) Last known address and telephone number;"

AND

Page 2, line 17, delete "identifying" and substitute "identifying or relevant"

AND

Page 2, delete lines 19 through 24

AND

Page 2, delete lines 30 and 31, and substitute the following:

"(F) In all placements, preferential consideration for a relative or fictive kin shall be given at all stages of the case."

AND

Page 3, delete lines 1 through 10, and substitute the following:

"juvenile solely upon the consideration of the relationship formed between the juvenile and a foster parent."

AND

Page 3, delete lines 12 and 13, and substitute the following:

"or ~~other person~~ fictive kin shall not relieve the"

AND

Page 3, delete lines 20 through 22, and substitute the following:

"grants custody of the juvenile to the relative or ~~person~~ fictive kin as described under subdivisions (b)(1)(A)(i)-(iii) of this section after a written approved home study is presented to the court."

AND

Page 4, delete lines 16 through 18, and substitute the following:

"or step-siblings to the relative or ~~other person~~ fictive kin as described under subdivisions (b)(1)(A)(i)-(iii) of this section:"

AND

Page 4, delete lines 21 and 22, and substitute the following:  
"the home of the relative or ~~other person~~ fictive kin as described under subdivisions (b)(1)(A)(i)-(iii) of this section."

AND

Page 4, delete lines 24 through 35, and substitute the following:  
"shall not be removed from the custody of the relative or ~~other person~~ fictive kin as described under subdivisions (b)(1)(A)(i)-(iii) of this section, placed in the custody of the department, and then remain or be returned to the home of the relative or ~~other person~~ fictive kin while remaining in the custody of the department;

(B) The relative or ~~other person~~ fictive kin as described under subdivisions (b)(1)(A)(i)-(iii) of this section shall not receive any financial assistance, including board payments, from the department, except for financial assistance for which the relative or fictive kin has applied and for which the relative or ~~other person~~ fictive kin qualifies under the"

AND

Page 5, delete lines 4 through 7, and substitute the following:  
"to the relative or ~~other person~~ fictive kin as described under subdivisions (b)(1)(A)(i)-(iii) of this section as reasonable efforts to prevent removal of custody from the relative or fictive kin."

AND

Page 5, delete lines 17 and 18, and substitute the following:  
"(C) Failure to complete a case plan is not a sufficient reason in and of itself to deny the placement of the juvenile in the home of a parent.

(D) Trial home placements may be made with parents or the person from whom custody was removed."

AND

Page 5, line 19, delete "~~(2)(3)(A)~~" and substitute "~~(2)(3)~~"

AND

Page 5, delete lines 20 through 22, and substitute the following:  
"place custody of the juvenile with the parent or the person from whom custody was removed, or the department shall return"

AND

Page 5, delete lines 25 through 27

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator A. Clark

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Secretary