

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

A Bill

SENATE BILL 656

5 By: Senator G. Stubblefield
6 By: Representative D. Meeks
7

For An Act To Be Entitled

9 AN ACT TO EXPAND THE DEFINITION OF "FICTIVE KIN"; AND
10 FOR OTHER PURPOSES.
11

Subtitle

12
13 TO EXPAND THE DEFINITION OF "FICTIVE
14 KIN".
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

20 SECTION 1. Arkansas Code § 9-27-303, concerning the definitions of
21 terms used in the Arkansas Juvenile Code, is amended to add an additional
22 subdivision to read as follows:

23 (65)(A) "Fictive kin" means a person selected by the Division of
24 Children and Family Services who:

25 (i) Is not related to a child by blood or marriage;

26 and

27 (ii) Has a strong, positive, and emotional tie or

28 role in the:

29 (a) Child's life; or

30 (b) Child's parent's life if the child is an
31 infant.

32 (B) The Director of the Division of Children and Family
33 Services or his or her designee shall approve a fictive kin for an infant.
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35 SECTION 2. Arkansas Code § 9-28-108(a)(1), concerning the definition
36 of fictive kin in the context of juvenile placements, is amended to read as



1 follows:

2 (1) "~~Fictive kin~~" means a person ~~not related to a child by blood~~
 3 ~~or marriage, but who has a strong positive emotional tie to the child and has~~
 4 ~~a positive role in the child's life, such as a godparent, neighbor, or family~~
 5 ~~friend~~ selected by the Division of Children and Family Services who:

6 (A) Is not related to a child by blood or marriage; and

7 (B) Has a strong, positive, and emotional tie or role in

8 the:

9 (i) Child's life; or

10 (ii) Child's parent's life if the child is an

11 infant; and

12

13 SECTION 3. Arkansas Code § 9-28-402(16), concerning the definition of
 14 provisional foster home under the Child Welfare Agency Licensing Act, is
 15 amended to read as follows:

16 (16) "Provisional foster home" means a foster home opened for no
 17 more than six (6) months by the Division of Children and Family Services of
 18 the Department of Human Services for a relative or fictive kin of a child in
 19 the custody of the Division of Children and Family Services of the Department
 20 of Human Services after it:

21 (A) Determines that placement with the proposed fictive
 22 kin or relative is in the best interest of the child;

23 ~~(A)(B)~~ Conducts a health and safety check, including a
 24 central registry check and a criminal background check or a check with local
 25 law enforcement, of the relative's home; and

26 ~~(B)(C)~~ Performs a visual inspection of the home of the
 27 relative to verify that the relative and the home will meet the standards for
 28 opening a regular foster home;

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30 SECTION 4. Arkansas Code § 9-28-402, concerning the definitions of
 31 terms used under the Child Welfare Agency Licensing Act, is amended to add an
 32 additional subdivision to read as follows:

33 (25)(A) "Fictive kin" means a person selected by the Division of
 34 Children and Family Services who:

35 (i) Is not related to a child by blood or marriage;

36 and

1 (ii) Has a strong, positive, and emotional tie or
2 role in the:

3 (a) Child's life; or

4 (b) Child's parent's life if the child is an
5 infant.

6 (B) The Director of the Division of Children and Family
7 Services or his or her designee shall approve a fictive kin for an infant.

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10 **APPROVED: 03/27/2017**