

**ARKANSAS SENATE**  
95th General Assembly - Regular Session, 2025  
**Amendment Form**

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**Subtitle of Senate Bill 326**

TO AMEND THE ARKANSAS JUVENILE CODE OF 1989 AND THE CHILD  
MALTREATMENT ACT; TO MODIFY GUIDELINES FOR A JUDGMENT MADE IN THE  
BEST INTEREST OF A CHILD; AND TO AMEND PROCEDURES AROUND REPORTING  
CHILD MALTREATMENT.

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**Amendment No. 2 to Senate Bill 326**

Amend Senate Bill 326 as engrossed S3/12/25 (version: 3/12/25 02:06:59 PM):

Page 2, line 27, delete "a pattern of"

AND

Page 3, line 36, delete "include" and substitute "include\_:"

AND

Page 4, delete lines 1 through 5

AND

Page 4, delete line 6, and substitute the following:

"(a) Causing a child to be born with an"

AND

Page 4, delete lines 24 through 26

AND



Page 4, line 28, delete "§ 9-27-310(b)(3)" and substitute "§ 9-27-310(b)"

AND

Page 4, delete lines 31 through 36, and substitute the following:

"(b)(1) The prosecuting attorney shall have sole authority to file a delinquency petition or petition for revocation of probation.

(2) Only a law enforcement officer, prosecuting attorney, the Department of Human Services or its designee, or a dependency-neglect attorney ad litem employed by or contracting with the Administrative Office of the Courts may file a dependency-neglect petition seeking ex parte emergency relief.

(3) Petitions for dependency-neglect or family in need of services may be filed by:

(A) ~~Any adult~~ Those permitted to file for ex parte relief under subdivision (b)(2) of this section; or

(B) ~~Any member ten (10) years of age or older of the immediate family alleged to be in need of services~~ A relative; or

(C) An individual in a familial relationship with the child.

(4) Petitions for paternity establishment may be filed by:

(A) The biological mother;

(B) A putative father;

(C) A juvenile; or

(D) The Office of Child Support Enforcement of the Revenue Division of the Department of Finance and Administration.

(5) Petitions for family in need of services may be filed by:

(A) Those permitted to file a petition for dependency-neglect;

(B) A counselor, school principal, or the designee of a school principal; or

(C) A juvenile ten (10) years of age or older who alleges that his or her family is in need of services."

AND

Page 5, delete lines 5 through 10, and substitute the following:

"(h)(1) In a family in need of services matter, a judge of a circuit court may initiate a seventy-two-hour hold of a child if there is an immediate danger to the child's health and safety.

(2) If protective custody is taken:

(A) The court shall appoint dependency-neglect attorney ad litem for the child or children under § 12-18-1001; and

(B) An attorney ad litem shall:

(i) Review all relevant information from the juvenile proceeding regarding the child or children for whom protective custody was taken; and

(ii) File any pleadings that are necessary to protect the health, safety, or welfare of the child or children under subsection (g) of this section."

AND

Page 5, line 17, delete "individual." and substitute "individual; or"

AND

Page 5, delete lines 18 through 21, and substitute the following:

~~"(B) If it is in the best interest of the juvenile and because of acts or omissions by the parent, guardian, or custodian, removal is necessary to protect the juvenile's health and safety, transfer custody to the department~~ Under § 12-18-1001, may initiate a seventy-two-hour hold if there is an immediate danger to the child's health and safety."

AND

Page 6, line 35, delete "a pattern of"

AND

Page 9, delete lines 15 through 21, and substitute the following:

"(1) The child is subjected to neglect as defined under 12-18-103(14)(B) and the department assesses the family and determines that the health or physical well-being of the newborn and any other children, including siblings, under the custody or care of a custodian ~~the mother~~ are at substantial risk of serious harm such that ~~the children need to be removed from the custody or care of the mother~~ removal is necessary;"

AND

Page 9, delete lines 33 through 36, and substitute the following:

"(ii) There is not an immediate danger to the child and a risk of harm to the child can be mitigated with services and supports; or

(iii) The sole basis of the placement in protective custody under this section is:"

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

By: Senator A. Clark

LJH/LJH - 03-17-2025 04:37:13

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Secretary