

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

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 for a period of at least six (6) consecutive
12 months:

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

15 (B) Resided in the home of the prospective relative
16 guardian who was licensed or approved as meeting the licensure requirements
17 as a foster family home.

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