

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

A Bill

HOUSE BILL 1677

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

For An Act To Be Entitled

9 AN ACT TO EXPAND THE DEFINITION OF "FICTIVE KIN" TO
10 INCLUDE FICTIVE KIN FOR INFANTS; AND FOR OTHER
11 PURPOSES.
12
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Subtitle

14 TO EXPAND THE DEFINITION OF "FICTIVE KIN"
15 TO INCLUDE FICTIVE KIN FOR INFANTS.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 9-27-303, concerning definitions for the
22 Juvenile Code, is amended to add additional subdivisions to read as follows:

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

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

26 (B) Has a strong, positive, and emotional tie or role as

27 follows:

28 (i) In the child's life; or

29 (ii) In the child's parent's life if the child is an
30 infant; and

31 (66) "Relative" means a person within the fifth degree of
32 consanguinity by virtue of blood or adoption.
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34 SECTION 2. Arkansas Code § 9-28-108(a), concerning the definition of
35 fictive kin and the placement of juveniles, is amended to read as follows:

36 (a) As used in this section:



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

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

6 (B) Has a strong, positive, and emotional tie or role as
 7 follows:

8 (i) In the child's life; or

9 (ii) In the child's parent's life if the child is an
 10 infant; and

11 (2) "Relative" means a person within the fifth degree of kinship
 12 by virtue of blood or adoption.

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

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

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

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

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

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 31 SECTION 4. Arkansas Code § 9-28-402, concerning the definition of
 32 fictive kin and the Child Welfare Agency Licensing Act, is amended to add an
 33 additional subdivision to read as follows:

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

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

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

follows:

(i) In the child's life; or

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

infant.