

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

# A Bill

HOUSE BILL 1469

5 By: Representative C. Fite  
6 By: Senator Rice  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE DEFINITION OF "FOSTER HOME" UNDER  
10 THE CHILD WELFARE AGENCY LICENSING ACT; TO AMEND THE  
11 LAW CONCERNING FOSTER HOMES; AND FOR OTHER PURPOSES.  
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13

## Subtitle

15 TO AMEND THE DEFINITION OF "FOSTER HOME"  
16 UNDER THE CHILD WELFARE AGENCY LICENSING  
17 ACT; AND TO AMEND THE LAW CONCERNING  
18 FOSTER HOMES.  
19  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. Arkansas Code § 9-27-363(b)(2)(A), concerning foster youth  
24 transition, is amended to read as follows:

25 (A) The juvenile's right to stay in foster care after  
26 reaching eighteen (18) years of age for education, treatment, or work and  
27 specific programs and services, including without limitation the ~~John H.~~  
28 ~~Chafee Foster Care Independence Program~~ John H. Chafee Foster Care Program  
29 for Successful Transition to Adulthood and other transitional services; and  
30

31 SECTION 2. Arkansas Code § 9-28-114(b)(2)(A), concerning foster youth  
32 transition, is amended to read as follows:

33 (A) The juvenile's right to stay in foster care after  
34 reaching eighteen (18) years of age for education, treatment, or work and  
35 specific programs and services, including without limitation the ~~John H.~~  
36 ~~Chafee Foster Care Independence Program~~ John H. Chafee Foster Care Program



1 for Successful Transition to Adulthood and other transitional services; and

2  
 3 SECTION 3. Arkansas Code § 9-28-402(14), concerning the definition of  
 4 "foster home", is amended to read as follows:

5 (14)(A) "Foster home" means ~~a private residence of one (1) or~~  
 6 ~~more family members that receives from a child placement agency any child who~~  
 7 ~~is unattended by a parent or guardian in order to provide care, training,~~  
 8 ~~education, or supervision on a twenty-four-hour basis, not to include~~  
 9 ~~adoptive homes.~~ the home of an individual or family:

10 (i) That is licensed or approved as a foster home  
 11 under the terms of this subchapter; and

12 (ii) Where a child in foster care is placed into the  
 13 care of an individual who:

14 (a) Is licensed or approved to be a foster  
 15 parent under this subchapter;

16 (b) Adheres to the reasonable and prudent  
 17 parent standard; and

18 (c) Provides twenty-four (24) hours or more of  
 19 substitute care for the child who is placed away from his or her parent or  
 20 other caretaker.

21 (B) "Foster home" does not include an adoptive home or a  
 22 home suspended or closed by a child placement agency;

23  
 24 SECTION 4. Arkansas Code Title 9, Chapter 28, Subchapter 4, is amended  
 25 to add an additional section to read as follows:

26 9-28-415. Foster Home – Child care limitations.

27 A foster home shall not provide care for more than six (6) children in  
 28 foster care unless providing care for additional children will allow:

29 (1) A parenting youth in foster care to remain with his or her  
 30 child;

31 (2) Siblings in foster care to remain together;

32 (3) A child with an established meaningful relationship with a  
 33 family to remain with the family; or

34 (4) A family with special training or skills to provide care to  
 35 a child who has a severe disability.