

SENATE BILL NO. 129

BY SENATORS GATTI, BARROW, BOUDREAUX, CARTER, CHABERT, CLAITOR, COLOMB, ERDEY, LUNEAU, MILLS, PRICE AND WALSWORTH AND REPRESENTATIVES AMEDEE, BACALA, BAGLEY, BERTHELOT, BRASS, CARMODY, STEVE CARTER, CONNICK, COX, CREWS, DAVIS, JIMMY HARRIS, HAVARD, HENRY, HENSGENS, HOFFMANN, HORTON, HOWARD, HUNTER, JACKSON, JEFFERSON, JENKINS, JOHNSON, LEGER, MACK, MARINO, MCFARLAND, NORTON, PIERRE, POPE, PYLANT, REYNOLDS, SCHEXNAYDER, SMITH, STOKES, TALBOT AND ZERINGUE

1 AN ACT

2 To amend and reenact R.S. 46:1403.1 and to enact R.S. 46:286.24, relative to foster care; to
3 provide relative to education; to provide that a child may remain in foster care until
4 he graduates from high school under certain circumstances; to provide for benefits
5 and services relative to the foster care program; to provide terms, conditions, and
6 requirements; to provide for the effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 46:1403.1 is hereby amended and reenacted and R.S. 46:286.24 is
9 hereby enacted to read as follows:

10 **§286.24. Foster care; high school student**

11 **A. In the event funds are made available for this purpose, the**
12 **Department of Children and Family Services shall continue to provide to a**
13 **person in foster care and to the person’s foster parents all benefits and services**
14 **of the department’s foster care program after the person’s eighteenth birthday**
15 **if the person is a full-time high school student or in the process of receiving an**
16 **equivalent credential, until the person’s high school graduation or twenty-first**
17 **birthday, whichever occurs first, upon the written consent of the person and**
18 **foster parents receiving the benefits and services.**

19 **B. Acceptance of these benefits and services shall in no way deprive the**
20 **person in foster care of any rights or obligations conferred by attaining the age**
21 **of majority.**

1 C. The benefits and services provided under this Section shall impose no
2 obligation of reimbursement upon the recipients.

3 D. The department shall notify all foster children and their foster
4 parents or other custodians in writing of the availability of these benefits and
5 services at the foster child’s seventeenth birthday, and every ninety days
6 thereafter until the child’s eighteenth birthday, unless the foster child and foster
7 parents or other custodians have already consented in writing to participating
8 in this program.

9 * * *

10 §1403.1. Extended stay for completion of educational courses or other programs

11 Notwithstanding any other provision of law to the contrary, ~~including but not~~
12 ~~limited to R.S. 46:1403(A)(1);~~ a child housed at a residential home **or in foster care,**
13 may stay at such home **or in foster care** until his twenty-first birthday to complete
14 any educational course that he began at such facility, **or while in foster care,**
15 including but not limited to a General Education Development course; and any other
16 program offered by the residential home.

17 Section 2. This Act shall become effective upon signature by the governor or, if not
18 signed by the governor, upon expiration of the time for bills to become law without signature
19 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
20 vetoed by the governor and subsequently approved by the legislature, this Act shall become
21 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____