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DIGEST

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Broome

SB No. 644

Present law provides an Interstate Compact on the Placement of Children including procedures, definitions, and requirements for states to cooperate with each other in the interstate placement of children.

Proposed law repeals present law and enacts a new Interstate Compact on the Placement of Children.

Proposed law provides definitions.

Proposed law provides that the compact shall apply to placement of a child due to allegations or findings of abuse, neglect, or deprivation, an adjudication of delinquency, or a preliminary step to a possible adoption.

Proposed law provides that the compact shall not apply to placement of a child in a custody proceeding in which a public child placing agency is not a party, with a non-relative by a parent with legal authority, by one relative with lawful authority, into a residential facility by his parent, with a noncustodial parent in certain circumstances, for foreign adoption, or by an agency for a visit as defined by the rules of the Interstate Commission.

Proposed law provides for jurisdiction over the child by the courts of the sending and receiving state.

Proposed law provides for placement evaluation and financial responsibility for children.

Proposed law creates the Interstate Commission for the Placement of Children. Provides that each member state shall establish a central state compact office, which shall be responsible for state compliance with the compact and the rules of the commission.

Proposed law provides for membership of the commission and its duties and powers and provides for qualified immunity for commission staff.

Proposed law provides that the commission shall be financed by annual member state assessment to cover costs of operations, staff and activities.

Proposed law provides that the compact shall become effective when the 35<sup>th</sup> state enacts the compact and requires the secretary of DSS to notify the legislature when the 35th state has enacted the Interstate Compact for the Placement of Children.

Proposed law provides procedures for withdrawal of a member state and for dissolution of the compact.

Proposed law authorizes DSS to promulgate rules and regulations in accordance with the APA as necessary to carry out the provisions of the proposed law.

Proposed law provides that rules adopted by the Interstate Commission shall not supersede state law and shall not be binding unless also promulgated by this state in accordance with the APA.

(Adds Ch.C. Arts. 1623-1643; Repeals Ch.C. Arts. 1608-1622)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill.

1. Added language on promulgation of rules and regulations.
2. Revised definitions, jurisdictional procedures, and placement evaluation and procedures.

Senate Floor Amendments to engrossed bill.

1. Technical Legislative Bureau amendments.

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Civil Law and Procedure to the reengrossed bill.

1. Made numerous technical changes.