

HOUSE BILL NO. 376

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE THERRIAULT

Introduced: 12/29/95

Referred: Health, Education and Social Services, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to state payments for damage or loss caused by a foster child."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1.** AS 47.10 is amended by adding a new section to read:

4 Sec. 47.10.235. DAMAGES CAUSED BY FOSTER CHILDREN. (a) The
5 department may reimburse a foster parent for damages and loss caused by the foster
6 parent's foster child up to \$10,000 per event under the following circumstances:

7 (1) the damage or loss is a result of a deliberate act with malicious
8 intent of the foster child or was a result of gross negligence of the child;

9 (2) considering the foster child's maturity and behavioral history, the
10 foster parent was providing adequate supervision and exercised appropriate precautions;

11 (3) the damage or loss does not include rental or other payment for lost
12 time or use of the damaged or lost items;

13 (4) the damage or loss exceeds \$100 for a single event or \$150
14 cumulative each month;

15 (5) the damage or loss is documented by the foster parent; to

1 implement the requirement of this paragraph in any particular case, the department
2 may require that the foster parent file a damage or loss report with law enforcement
3 personnel; and

4 (6) the damage or loss is not covered by the foster parent's insurance.

5 (b) Instead of reimbursement under (a) of this section, the department may
6 arrange for restitution to be made by the foster child to the foster parent.

7 (c) The department may use the services of an assessor in determining the
8 appropriateness of, and dollar amount payable for, damage and loss claims under this
9 section.

10 * **Sec. 2. APPLICABILITY.** This Act applies to damage or loss caused by a foster child
11 on or after the effective date of this Act.