

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 54(HSS)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE HOUSE HEALTH AND SOCIAL SERVICES COMMITTEE

Offered: 4/4/13

Referred: Judiciary

Sponsor(s): REPRESENTATIVES GARA AND THOMPSON, Millett, Tuck, Peggy Wilson, Kerttula, Costello, Tammie Wilson, Lynn, Foster, Austerman, LeDoux, Nageak, Neuman, Hughes, Kito III, Muñoz

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the identification, location, and notification of specified family**
2 **members of a child who is in state custody."**

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

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

5 **Sec. 47.10.035. Placement of a child with noncustodial parent or adult**
6 **family member; due diligence.** (a) Within 30 days after removal of a child from the
7 child's home and placement of the child in out-of-home care under this chapter and
8 under AS 47.14, the department shall exercise due diligence to identify, locate, and
9 notify of the removal noncustodial parents and adult family members of the child. If
10 circumstances prevent the department from completing this due diligence search in 30
11 days, the department shall complete the search as soon as possible.

12 (b) A supervisor of the division of the department with jurisdiction over
13 children in need of aid shall verify in writing, in a timely manner, the due diligence of
14 the department exercised under (a) of this section.

1 * **Sec. 2.** AS 47.14.100(e) is amended to read:

2 (e) When a child is removed from a parent's home, the department shall, **after**
3 **conducting due diligence required under AS 47.10.035**, place the child, in the
4 absence of clear and convincing evidence of good cause to the contrary,

5 (1) in the least restrictive setting that most closely approximates a
6 family and that meets the child's special needs, if any;

7 (2) within reasonable proximity to the child's home, taking into
8 account any special needs of the child and the preferences of the child or parent;

9 (3) with, in the following order of preference,

10 (A) an adult family member;

11 (B) **an adult** [A] family friend who meets the foster care
12 licensing requirements established by the department;

13 (C) a licensed foster home that is not an adult family member
14 or family friend;

15 (D) an institution for children that has a program suitable to
16 meet the child's needs.

17 * **Sec. 3.** AS 47.14.100 is amended by adding a new subsection to read:

18 (u) The department may provide for emergency placement of a child while
19 conducting due diligence under AS 47.10.035 and (e) of this section.