Proposal for Legislation -- 2009
Child Welfare Placeholder

PROPOSER'S NAME/TITLE: Shirley Brown, CFSD Administrator
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1.   What is the problem or issue?

Currently the Department has a placeholder for any federal regulations/statutes which will require codification into Montana Code Annotated. As of July 11, 2008, we are not aware of any such federal regulations/statutes which will require codification into the MCA. Should we become aware of any we will provide an update.

2.   What do you want the legislation to do?

It is requested that the Montana legislature adopt provisions of federal law that may be required to be implemented by States.

HR 6307, the Foster Connections to Success Act was passed by the House on June 24. S 3808, which incorporates elements of HR 6307, will not be addressed by the Senate until Congress returns from their recess in September. Right now, the expectation is that the Senate Finance Committee will pass S 3808 out of committee on September 10. The negotiation process over the differences between the House and Senate versions will then occur.

Some of the possible changes/differences between the bills relate to (not an inclusive list) requirements that sibling be placed in same relative guardianship arrangement unless inappropriate and notification of relatives when child goes into foster care.

3.   If possible, please list the MCA (Montana Code Annotated) sections that would need to be amended.

It is likely that modifications to MCA title 41, chapter 3 will need to be made but the specific sections are unknown at this time.

4.   If the proposed change requires additional funding, what funding sources do you propose?

No, additional funding is anticipated.

5.   Has similar legislation been requested in the past, been introduced in another state, or provided as a model act? If so, please provide a citation, reference, or point of contact.

No