

State of Arkansas  
91st General Assembly  
Regular Session, 2017

# A Bill

SENATE BILL 656

By: Senator G. Stubblefield  
By: Representative D. Meeks

## For An Act To Be Entitled

AN ACT TO EXPAND THE DEFINITION OF "FICTIVE KIN"; AND  
FOR OTHER PURPOSES.

### Subtitle

TO EXPAND THE DEFINITION OF "FICTIVE  
KIN".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 9-27-303, concerning the definitions of terms used in the Arkansas Juvenile Code, is amended to add an additional subdivision to read as follows:

(65)(A) "Fictive kin" means a person selected by the Division of Children and Family Services who:

(i) Is not related to a child by blood or marriage;  
and

(ii) Has a strong, positive, and emotional tie or  
role in the:

(a) Child's life; or  
(b) Child's parent's life if the child is an  
infant.

(B) The Director of the Division of Children and Family Services or his or her designee shall approve a fictive kin for an infant.

SECTION 2. Arkansas Code § 9-28-108(a)(1), concerning the definition of fictive kin in the context of juvenile placements, is amended to read as



follows:

(1) ~~“Fictive kin” means a person not related to a child by blood or marriage, but who has a strong positive emotional tie to the child and has a positive role in the child’s life, such as a godparent, neighbor, or family friend~~ selected by the Division of Children and Family Services who:

(A) Is not related to a child by blood or marriage; and

(B) Has a strong, positive, and emotional tie or role in

the:

(i) Child’s life; or

(ii) Child’s parent’s life if the child is an

infant; and

SECTION 3. Arkansas Code § 9-28-402(16), concerning the definition of provisional foster home under the Child Welfare Agency Licensing Act, is amended to read as follows:

(16) “Provisional foster home” means a foster home opened for no more than six (6) months by the Division of Children and Family Services of the Department of Human Services for a relative or fictive kin of a child in the custody of the Division of Children and Family Services of the Department of Human Services after it:

(A) Determines that placement with the proposed fictive kin or relative is in the best interest of the child;

~~(A)(B)~~ (B) Conducts a health and safety check, including a central registry check and a criminal background check or a check with local law enforcement, of the relative’s home; and

~~(B)(C)~~ (C) Performs a visual inspection of the home of the relative to verify that the relative and the home will meet the standards for opening a regular foster home;

SECTION 4. Arkansas Code § 9-28-402, concerning the definitions of terms used under the Child Welfare Agency Licensing Act, is amended to add an additional subdivision to read as follows:

(25)(A) “Fictive kin” means a person selected by the Division of Children and Family Services who:

(i) Is not related to a child by blood or marriage;

and

(ii) Has a strong, positive, and emotional tie or  
role in the:

(a) Child's life; or

(b) Child's parent's life if the child is an  
infant.

(B) The Director of the Division of Children and Family  
Services or his or her designee shall approve a fictive kin for an infant.

**APPROVED: 03/27/2017**