

State of Arkansas
90th General Assembly
Regular Session, 2015

A Bill

HOUSE BILL 1677

By: Representative D. Meeks
By: Senator Rice

For An Act To Be Entitled

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

Subtitle

TO EXPAND THE DEFINITION OF "FICTIVE KIN"
TO INCLUDE FICTIVE KIN FOR INFANTS.

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

SECTION 1. Arkansas Code § 9-27-303, concerning definitions for the Juvenile Code, is amended to add additional subdivisions to read as follows:

(65) "Fictive kin" means a person 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 as

follows:

(i) In the child's life; or

(ii) In the child's parent's life if the child is an infant; and

(66) "Relative" means a person within the fifth degree of consanguinity by virtue of blood or adoption.

SECTION 2. Arkansas Code § 9-28-108(a), concerning the definition of fictive kin and the placement of juveniles, is amended to read as follows:

(a) As used in this section:



(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 as

follows:

(i) In the child's life; or

(ii) In the child's parent's life if the child is an

infant; and

(2) "Relative" means a person within the fifth degree of kinship by virtue of blood or adoption.

SECTION 3. Arkansas Code § 9-28-402(16), concerning the definition of "provisional foster home" for 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 definition of fictive kin and the Child Welfare Agency Licensing Act, is amended to add an additional subdivision to read as follows:

(25) "Fictive kin" means a person 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 as follows:

(i) In the child's life; or

(ii) In the child's parent's life if the child is an infant.