

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
91st General Assembly  
Regular Session, 2017

# A Bill

HOUSE BILL 1974

By: Representative D. Meeks

By: Senator Hester

## For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING CHILDREN TAKEN  
INTO PROTECTIVE CUSTODY UNDER THE CHILD MALTREATMENT  
ACT; AND FOR OTHER PURPOSES.

## Subtitle

TO AMEND THE LAW CONCERNING CHILDREN  
TAKEN INTO PROTECTIVE CUSTODY UNDER THE  
CHILD MALTREATMENT ACT.

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

SECTION 1. Arkansas Code § 12-18-1001(d), concerning the filing of a petition for dependency-neglect after the Department of Human Services assesses the health and safety of a child, is amended to read as follows:

(d)(1) If the department assesses the health and safety of a child and determines that the child cannot safely remain in the care, custody, or control of the legal parent, guardian, or custodian without the implementation of a protection plan, the department ~~shall file a petition for dependency-neglect~~ may implement a protection plan that allows the child to remain in his or her place of residence and includes services to address the safety of the child.

(2)(A) If a protection plan is implemented under subdivision (d)(1) of this section, then the department shall reassess the health and safety of the child within thirty (30) days of the date on which the protection plan was implemented.

(B) If the department determines that a substantial risk



of harm to the health and safety of the child remains after a reassessment under subdivision (d)(2)(A) of this section is performed, then the department shall file a petition for dependency-neglect.

(3) This subsection does not apply if the parent, guardian, or custodian is not the alleged offender and the parent, guardian, or custodian is not alleged to have failed to protect the child.