

COMMITTEE OF ORIGIN: Standing Committee on Children and Families

This bill requires that during any child protective assessment that does not result in an out-of-home placement, if the Children's Division within the Department of Social Services determines that a child is at risk for possible removal and placement in out-of-home care, the division must provide information to the parent or guardian about community service programs that provide respite care, voluntary guardianship, or other support services for families in crisis in cases where such services may address the needs of the family.

The bill adds respite to the list of purposes that the court may make an order for the management of the estate of a protectee.

The bill establishes the Supporting and Strengthening Families Act that changes the laws regarding the delegation of powers relating to the care and custody of a child. A parent or legal custodian of a child may delegate to an attorney-in-fact any powers regarding the care and custody of the child for a period not to exceed one year, except for a parent or legal custodian that is a member of the Armed Forces, as specified in the bill. The bill requires a community service program to ensure a background check is completed for the attorney-in-fact and any adult household members prior to the placement of the child. The bill requires the attorney-in-fact to make arrangements to ensure the child attends classes at an appropriate school and a power of attorney executed under these provisions must not be done solely to enroll a child in a certain school. The bill requires notification to the child's school of the existence of the power of attorney and his or her contact information. The bill requires the child's school to communicate with the delegate and the child's parents or guardians for the duration of the delegation and upon notice of the expiration or revocation of the delegation, requires the school to cease communication with the delegate regarding the child. The delegation must not operate to modify a child's eligibility for benefits the child is receiving at the time the power of attorney is executed. The delegation must not deprive the parent or legal custodian of any parental or legal rights, obligations, or authority, including custody, visitation, or support of the child and can be revoked at any time. The delegate does not have the power to consent to the marriage or adoption of the child, performance or inducement of an abortion on or for the child, or the termination of parental rights to the child.

The attorney-in-fact must exercise parental or legal authority on a continuous basis without compensation and must not be subject to

any statutes dealing with the licensing or regulation of foster care homes.

The bill repeals current law regarding temporary delegation of powers by parents.

This bill is similar to HB 684 (2015) and HB 1021 (2015).