

2018 Regular Session

SENATE BILL NO. 129

BY SENATORS GATTI, BARROW, BOUDREAUX, CARTER, CHABERT, CLAITOR,
COLOMB, ERDEY, LUNEAU, MILLS AND PRICE

FAMILY LAW. Provides relative to foster care children in high school. (gov sig)

1 AN ACT

2 To enact R.S. 46:286.24, relative to foster care; to provide relative to education; to provide
3 that a child may remain in foster care until he graduates from high school under
4 certain circumstances; to provide for benefits and services relative to the foster care
5 program; to provide terms, conditions, and requirements; to provide for the effective
6 date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 46:286.24 is hereby enacted to read as follows:

9 **§286.24. Foster care; high school student**

10 **A. The Department of Children and Family Services shall continue to**
11 **provide to a person in foster care and to the person's foster parents all benefits**
12 **and services of the department's foster care program after the person's**
13 **eighteenth birthday if the person is a full time high school student, until the**
14 **person's high school graduation or twenty-first birthday, whichever occurs first,**
15 **upon the written consent of the person and foster parents receiving the benefits**
16 **and services.**

17 **B. Acceptance of these benefits and services shall in no way deprive the**

1 person in foster care of any rights or obligations conferred by attaining the age
 2 of majority.

3 C. The benefits and services provided under this Section shall impose no
 4 obligation of reimbursement upon the recipients.

5 D. The department shall notify all foster children and their foster
 6 parents or other custodians in writing of the availability of these benefits and
 7 services at the foster child's seventeenth birthday, and every ninety days
 8 thereafter until the child's eighteenth birthday, unless the foster child and foster
 9 parents or other custodians have already consented in writing to participating
 10 in this program.

11 Section 2. This Act shall take effect and become operative if and when the Act
 12 which originated as Senate Bill No. 555 of this 2018 Regular Session of the Legislature is
 13 enacted into law and becomes effective.

14 Section 3. This Act shall become effective upon signature by the governor or, if not
 15 signed by the governor, upon expiration of the time for bills to become law without signature
 16 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 17 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 18 effective on the day following such approval.

The original instrument was prepared by Xavier I. Alexander. The following
 digest, which does not constitute a part of the legislative instrument, was
 prepared by Martha Hess.

DIGEST

SB 129 Reengrossed 2018 Regular Session Gatti

Proposed law provides that a person in foster care and the person's foster parents shall continue to receive all benefits and services of the foster care program after the person's 18th birthday, if the person is a full-time high school student until the person's high school graduation or 21st birthday, whichever comes first.

Proposed law provides that acceptance of these benefits shall not deprive the person in foster care of any rights or obligations conferred by attaining the age of majority.

Proposed law specifies that the benefits and services provided shall not impose any obligation of reimbursement on the recipients.

Proposed law specifies that the Department of Children and Family Services shall notify all foster children and their foster parents or other custodians in writing of the availability of these benefits and services upon the child's 17th birthday, and every ninety days thereafter

until the child's 18th birthday, unless the foster child and foster parents or other custodians have already consented in writing to participate.

Proposed law provides that it shall take effect and become operative if and when S.B. No. 555 of the 2018 R.S. is enacted into law and becomes effective.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 46:286.24)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the engrossed bill

1. Provides that a person in foster care and the person's foster parents shall continue to receive all benefits and services of the foster care program after the person's 18th birthday, if the person is a full-time high school student until the person's high school graduation or 21st birthday, whichever comes first.
2. Provides that acceptance of these benefits shall not deprive the person in foster care of any rights or obligations conferred by attaining the age of majority.
3. Specifies that the benefits and services provided shall not impose any obligation of reimbursement on the recipients.
4. Specifies that the Department of Children and Family Services shall notify all foster children and their foster parents or other custodians in writing of the availability of these benefits and services upon the child's 17th birthday, and every ninety days thereafter until the child's 18th birthday, unless the foster child and foster parents or other custodians have already consented in writing to participate.
5. Applies a contingency that this Act shall take effect and become operative if and when Senate Bill No. 555 of the 2018 Regular Session of the Legislature is enacted into law and becomes effective.