

2016 Regular Session

SENATE BILL NO. 313

BY SENATOR BARROW

CHILDREN. Provides relative to the Council on the Status of Grandparents Raising Grandchildren. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 36:4(B)(8), to enact R.S. 46:2605.1 through 2605.3, and to

3 repeal R.S. 36:478(L) and R.S. 46:2911 through 2913, relative to the Council on the

4 Status of Grandparents Raising Grandchildren; to provide for the transfer of this

5 council from the Department of Children and Family Services to the office of the

6 governor; to provide for the council's membership, responsibilities and duties, and

7 its fund; to provide terms, conditions, requirements, and procedures; and to provide

8 for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 36:4(B)(8) is hereby amended and reenacted to read as follows:

11 §4. Structure of executive branch of state government

12 \* \* \*

13 B. The office of the governor shall be in the executive branch of state

14 government.

15 \* \* \*

16 (8) The Children's Cabinet and the Children's Cabinet Advisory Board, as

17 more specifically provided in R.S. 46:2601 through 2607, and the Council on the



1           Louisiana.

2                   (13) One member representing and appointed by the Louisiana  
3           Children's Trust Fund.

4                   (14) No fewer than three and no more than five citizens who have  
5           demonstrated a commitment to the rearing of grandchildren by grandparents,  
6           to be nominated by the chair of the Children's Cabinet Advisory Board and  
7           approved by the council.

8                   (15) One member representing and appointed by the National  
9           Association of Social Workers.

10                  (16) One member representing and appointed by the Louisiana  
11           Court-Appointed Special Advocate Association.

12                  (17) One member representing and appointed by the Louisiana Council  
13           of Juvenile and Family Court Judges.

14                  (18) One member representing and appointed by the Louisiana State Bar  
15           Association.

16                  (19) One representative of the Grandparents Raising Grandchildren  
17           Information Center of Louisiana.

18                  C. Members of the council shall serve four-year terms and shall not  
19           receive any compensation or reimbursement of expenses. Each member of the  
20           council shall hold office until the appointment and qualification of his successor.  
21           Whenever a vacancy occurs in an appointed position, the vacancy shall be filled  
22           in the same manner and under the same terms and conditions as required for  
23           the original appointment.

24                  D. Meetings of the council shall be held in the city of Baton Rouge. At the  
25           first meeting each year the chair and vice chair of the council shall be appointed  
26           by the chair of the Children's Cabinet Advisory Board with the consultation  
27           and approval of the council. The council may adopt such rules of procedure as  
28           are necessary to facilitate orderly conduct of its business.

29                  E. The council shall meet at least quarterly. Meetings shall be held on the

1 call of the chair or at the request of at least three members of the council. A  
2 majority of the council shall constitute a quorum for the transaction of business.  
3 All official actions of the council shall require the affirmative vote of a majority  
4 of the quorum.

5 F. All departments, boards, agencies, officers, and institutions of the  
6 state and all subdivisions thereof shall cooperate with the council in carrying  
7 out its purposes pursuant to R.S. 46:2605.1 through 2605.3.

8 G. The council shall make, or cause to be made, all such studies, reviews,  
9 or analyses which it finds necessary to effect its purpose.

10 H. The council may receive and expend funds appropriated or otherwise  
11 made available by the legislature or from any other source, including donations  
12 or gifts of money or services from public or private organizations or from any  
13 other sources, to be utilized for the purposes of the council and as further  
14 provided in R.S. 46:2605.3.

15 §2605.2. Council; responsibilities and duties

16 A. The council shall be a resource to the state on issues affecting  
17 grandparents raising grandchildren in the state. In furtherance of that  
18 responsibility, the council shall undertake efforts to provide for the following:

19 (1) Foster unity among grandparents raising grandchildren communities  
20 and organizations in the state by promoting cooperation and sharing of  
21 information and encouraging collaboration and joint activities.

22 (2) Serve as a liaison between government and private interest groups  
23 with regard to matters of unique interest and concern to grandparents raising  
24 grandchildren in the state.

25 (3) Assess programs and practices in all state agencies as they affect  
26 grandparents raising grandchildren, as the council deems necessary and  
27 appropriate.

28 (4) Identify and discuss best practices as they affect grandparents raising  
29 grandchildren and explore how these practices can be adapted to programs and

1 services being provided within the state.

2 (5) Advise executive and legislative bodies of the potential effect of  
3 proposed legislation on grandparents raising grandchildren, as the council  
4 deems necessary and appropriate.

5 (6) Investigate the merits of the establishment of a state agency or  
6 program within a department dedicated to grandparents' issues and determine  
7 how such agency or program would be set up.

8 (7) Identify a system for educating grandparents who lack the  
9 appropriate information and resources regarding the care and custody of their  
10 grandchildren.

11 (8) Identify issues that are faced by nonparent relatives providing  
12 primary care for children.

13 B. The council shall issue its annual report by January 1st each year,  
14 stating the findings, conclusions, and recommendations of the council. The  
15 council shall submit the report to the governor, the president of the Senate, the  
16 speaker of the House of Representatives, and the chairmen of the committees  
17 with appropriate jurisdiction in the House of Representatives and in the Senate.

18 §2605.3 Status of Grandparents Raising Grandchildren Fund

19 A. There is hereby created in the state treasury, as a special fund, the  
20 Status of Grandparents Raising Grandchildren Fund, hereinafter referred to  
21 as the "fund".

22 B. (1) The source of monies deposited into the fund shall be any monies  
23 appropriated annually by the legislature, including federal funds, any public or  
24 private donations, gifts, or grants from individuals, corporations, nonprofit  
25 organizations, or other business entities which may be made to the fund, and  
26 any other monies which may be obtained or provided by law.

27 (2) Monies in the fund shall be invested in the same manner as monies  
28 in the state general fund and interest earned on investment of monies in the  
29 fund shall be credited to the state general fund. Unexpended and unencumbered

1           **monies in the fund at the end of the fiscal year shall remain in the fund.**

2                   **C. Subject to an annual appropriation by the legislature, monies in the**  
 3           **fund shall be used as directed by the council solely for the purposes set forth in**  
 4           **R.S. 46:2605.1 and 2605.2.**

5           Section 3. R.S. 36:478(L) and R.S. 46:2911 through 2913 are hereby repealed.

6           Section 4. This Act shall become effective upon signature by the governor or, if not  
 7 signed by the governor, upon expiration of the time for bills to become law without signature  
 8 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 9 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 10 effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by J. W. Wiley.

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DIGEST

SB 313 Original

2016 Regular Session

Barrow

Present law provides that the Council on the Status of Grandparents Raising Grandchildren ("council") is placed within the Department of Children and Family Services and provides for its membership, responsibilities and duties, and its fund.

Proposed law changes present law to provide that the council is moved from the DCFS to the office of the governor and is a subcommittee of the Children's Cabinet Advisory Board.

Proposed law repeals provisions of present law providing for the council's membership, responsibilities and duties, and its fund.

Proposed law provides for the council's membership, responsibilities and duties, and its fund.

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

(Amends R.S. 36:4(B)(8); adds R.S. 46:2605.1-2605.3; repeals R.S. 36:478(L) and R.S. 46:2911-2913)