Senate Engrossed

FILED

JANICE K. BREWER
SECRETARY OF STATE

State of Arizona
Senate
Forty-sixth Legislature
Second Regular Session
2004

CHAPTER 79

SENATE BILL 1055

AN ACT

AMENDING SECTIONS 8-521 AND 8-521.01, ARIZONA REVISED STATUTES; RELATING TO CHILD WELFARE AND PLACEMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 8-521, Arizona Revised Statutes, is amended to read:

8-521. Independent living program; conditions; eligibility; rules; reports

A. The department or a licensed child welfare agency may establish an independent living program for youths who are the subject of a dependency petition or who are adjudicated dependent and are all of the following:

1. In the custody of the department, ~~or~~ a licensed child welfare agency OR A TRIBAL CHILD WELFARE AGENCY.

2. At least seventeen years of age.

3. Employed or full-time students.

B. The independent living program may consist of a residential program of less than twenty-four hours' a day supervision for youths under the supervision of the department through a licensed child welfare agency or a foster home under contract with the department. Under the independent living program the youth is not required to reside at a licensed child welfare agency or foster home.

C. The director or the director's designee shall review and approve any recommendation to the court that a youth in the custody of the department be ordered to an independent living program.

D. For a youth to participate in an independent living program, the court must order such a disposition pursuant to section 8-845.

E. The department, ~~or~~ a licensed child welfare agency OR A TRIBAL CHILD WELFARE AGENCY having custody of the youth shall provide the cost of care as required by section 46-134 for each child placed in an independent living program pursuant to this section, except that the monthly amount provided shall not exceed the average monthly cost of purchased services for the child in the three months immediately preceding placement in an independent living program.

F. The department shall adopt rules pursuant to title 41, chapter 6 to carry out the purposes of this section.

G. The department shall provide quarterly progress reports to the court and to local foster care review boards for each youth participating in the independent living program.

H. The local foster care review boards shall review at least once every six months the case of each youth participating in the independent living program.

Sec. 2. Section 8-521.01, Arizona Revised Statutes, is amended to read:

8-521.01. Transitional independent living program

A. The department may establish a transitional independent living program for persons who meet the following qualifications:

1. The person is under twenty-one years of age.

2. The person was the subject of a dependency petition, adjudicated dependent or placed voluntarily pursuant to section 8-806.

B. The department shall provide care and services that complement the person's own efforts to achieve self-sufficiency and to accept personal responsibility for preparing for and making the transition to adulthood. The care and services provided shall be based on an individualized written agreement between the department and the person.

C. Care and services may be provided as follows:

1. If the person was in out-of-home placement or in the independent living program when the person became eighteen years of age, the department may provide out-of-home placement, independent living or other transitional living support services.

2. If the person was in out-of-home placement in the custody of the department, A LICENSED CHILD WELFARE AGENCY OR A TRIBAL CHILD WELFARE AGENCY while the person was sixteen, seventeen or eighteen years of age, the department may provide transitional living support services.

APPROVED BY THE GOVERNOR APRIL 13, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 13, 2004.