

H.B. 216

REUNIFICATION SERVICES AMENDMENTS

Representative **Merlynn T. Newbold** proposes the following amendments:

1. *Page 1, Lines 12 through 18:*

12 This bill:

▶ defines terms:

13 ▶ creates a presumption that reunification services should not be provided to a birth
14 mother if the court finds, by clear and convincing evidence, that at the time of birth
15 the child has fetal alcohol syndrome or fetal drug dependency, unless the mother

16 agrees to immediately enroll in, is currently enrolled in, or **, after using the substance that resulted in fetal
alcohol syndrome or fetal drug dependency,** has successfully

17 completed, a treatment program approved by the ~~{ Division of Child and Family }~~ **Department of
Human**

18 Services; and

2. *Page 1, Lines 25 through 26:*

25 AMENDS:

26 62A-4a-205, as last amended by Laws of Utah 2009, Chapter 161

= **78A-6-301, as enacted by Laws of Utah 2008, Chapter 3 78A-6-301, as enacted by Laws of Utah
2008, Chapter 3**

3. *Page 5, Line 147:*

147 (ii) the nature of the alleged abuse or neglect.

= **Section 2. Section 78A-6-301 is amended to read:**

78A-6-301. Definitions.

As used in this part:

(1) "Custody" means the custody of a minor in the Division of Child and Family Services as of the date of disposition.

= **(2) "Fetal drug dependency" means that a child is born dependent on a controlled substance, as defined in Section 58-37-2, that was unlawfully used by the child's mother during pregnancy.**

~~{ (2) }~~ **(3)** "Protective custody" means the shelter of a child by the Division of Child and Family Services from the time the child is removed from home until the earlier of:

(a) the shelter hearing; or

(b) the child's return home.

~~{ (3) }~~ **(4)** "Temporary custody" means the custody of a child in the Division of Child and Family

Services from the date of the shelter hearing until disposition.

Renumber remaining sections accordingly.

4. Page 6, Line 165:

165 Subsections ~~{(21) and}~~ (20) through (22).

5. Page 8, Line 238:

238 period described in ~~{Subsection}~~ [(2)(d)] ~~{(13)}~~ Subsections (11) through (14) does not interrupt the running of the period.

6. Page 10, Line 304 through Page 11, Line 307:

304 (k) with respect to a parent who is the child's birth mother, at the time of birth the child
305 has fetal alcohol syndrome or fetal drug dependency, unless the mother agrees to immediately
306 enroll in, is currently enrolled in, or , after using the substance that resulted in fetal alcohol syndrome or fetal drug dependency, has successfully completed, a program approved by the
307 ~~{division}~~ department, as follows:

7. Page 11, Line 337 through Page 12, Line 338:

337 (b) The time limits described in [Subsection (2)] Subsections ~~{(9), (10), (13), and (16)}~~
338 through (18)} (2) through (19) are not tolled by the parent's absence.

8. Page 12, Line 353:

353 limitations imposed in [Subsection (2)] Subsections ~~{(9), (10), (13), and (16) through (18)}~~ (2) through (19).