

**Representative Jeremy A. Peterson** proposes the following substitute bill:

**CHILD PLACEMENT AMENDMENTS**

2016 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jeremy A. Peterson**

Senate Sponsor: Todd Weiler

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**LONG TITLE**

**General Description:**

This bill enacts provisions in the Juvenile Court Act related to child placement during an abuse, neglect, or dependency proceeding.

**Highlighted Provisions:**

This bill:

- ▶ requires the Division of Child and Family Services to determine whether a parent or guardian has an outstanding felony arrest warrant before recommending the return of a child to the custody of the parent or guardian; and
- ▶ allows the juvenile court to deny the return of a child to the custody of a parent or guardian if the parent or guardian has an outstanding felony arrest warrant.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**78A-6-308.5**, Utah Code Annotated 1953

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26 *Be it enacted by the Legislature of the state of Utah:*

27 Section 1. Section **78A-6-308.5** is enacted to read:

28 **78A-6-308.5. Outstanding arrest warrant check before return of custody.**

29 (1) For purposes of this section, "immediate family member" means a spouse, child,  
30 parent, sibling, grandparent, or grandchild.

31 (2) Before recommending the return of a child who is in the custody, protective  
32 custody, or temporary custody of the state to the custody of a parent or guardian of the child,  
33 the division shall determine whether the parent or guardian has an outstanding felony arrest  
34 warrant in any state where the parent or guardian has resided or in any state where the parent or  
35 guardian has an immediate family member.

36 (3) The division shall file the results of the felony arrest warrant check with the court.

37 (4) ~~H~~→ **If the court determines that it is in the best interest of the child,**  
37a **[The] the** ←~~H~~ court may deny the return of a child who is in the custody, protective custody,  
38 or temporary custody of the state to the custody of a parent or guardian of the child if the parent  
39 or guardian has an outstanding felony arrest warrant in any state ~~H~~→ **[where the parent or guardian**  
40 **has resided or in any state where the parent or guardian has an immediate family member]** ←~~H~~ .