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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
53rd Legislature, 1st Session, 2017

Bill Number	<u>SB447/aSPAC</u>	Sponsor	<u>Lopez</u>
Tracking Number	<u>.207064.1</u>	Committee Referrals	<u>SPAC/SJC</u>
Short Title	<u>Guardianship Affidavit & Pre-school Care</u>		
Analyst	<u>Force</u>	Original Date	<u>2/22/17</u>
		Last Updated	<u>3/13/17</u>

BILL SUMMARY

Synopsis of SPAC Amendment

The Senate Public Affairs Committee (SPAC) amendment to SB447 restores the requirement that a potential caregiver filing a caregivers' authorization affidavit be a qualified relative of the child for whom the affidavit is being filed.

Synopsis of Bill

Senate Bill 447 (SB447) proposes to amend the Kinship Guardianship Act to permit nonrelatives to file a caregiver's authorization affidavit, and would expand the scope of the caregiver's authority to enroll a child in early intervention services, daycare, headstart, preschool, or a kindergarten through grade 12 school, rather than merely in a school, as current law allows. Additionally, SB447 permits the unrelated caregiver to consent to medical care for the child, including school-related care, immunizations, sports physical examinations, and dental and mental health care, and permits the child's unrelated guardian to be the authorized school contact person.

FISCAL IMPACT

SB447 contains no appropriation.

SUBSTANTIVE ISSUES

The expansion of services to children in need of guardianship may bring the state into further compliance with the Every Student Succeeds Act, which includes enhanced protections for homeless children, children in foster care and other at-risk students, by possibly enabling earlier identification of these students.

TECHNICAL ISSUES

The term “early intervention services” is unclear and undefined. The sponsor may wish to consider amending the bill to define or clarify this term.

RELATED BILLS

Relates to HB222, Special Needs Adopted Child Tax Credit Amount, which increases the amount of the tax credit from \$1,000 to \$1,500 per child.

Relates to HB255, Abuse & Neglect Family Support Program, which would establish a family support services program to provide an alternative response pathway to services for families upon completion of an evaluation where there is no immediate concern for the child’s safety.

Relates to HB301/aHHHC, Support for Transferring Students (Identical to SB213/aSEC), which would require timely transition for enrolling high school students who have experienced a disruption in their education, such as homelessness, abuse or neglect, or delinquency.

Relates to HB394/aHHHC, Guardianship Affidavit & Pre-School Care, which allows nonrelatives to be caregivers of a child.

Relates to HB411/aHJC, Points of Contact for Certain Students, which would require school districts to appoint points of contact for students in foster care or involved with juvenile justice.

Relates to SB19/aSJC, Foster Care by other Family Members, which directs the Children, Youth and Families Department (CYFD) to give preference to relatives when placing children in the custody of CYFD.

Relates to SB106, Early Childhood Services Department, which would create a cabinet-level Early Childhood Services Department.

Relates to SB213/aSEC, Support for Transferring Students (Identical to HB301/aHHHC), which would require timely transition for enrolling high school students who have experienced a disruption in their education, such as homelessness, abuse or neglect, or delinquency.

SOURCES OF INFORMATION

- Legislative Education Study Committee Files
- Administrative Office of the Courts

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