

**FIFTY-FIFTH LEGISLATURE
FIRST SESSION, 2021**

February 9, 2021

Mr. President:

Your **INDIAN, RURAL AND CULTURAL AFFAIRS COMMITTEE**,
to whom has been referred

SENATE BILL 278

has had it under consideration and reports same with recommendation
that it **DO PASS**, amended as follows:

1. On page 4, line 15, strike "or".
2. On page 4, line 17, strike "and is" and insert in lieu thereof "; or" and insert the paragraph designation "(3)".
3. On page 15, between lines 12 and 13, insert the following new subsections:
 - "B. During an investigation that involves a child that the department knows or has reason to know is an Indian child, the department shall:
 - (1) coordinate services with the Indian child's tribe to prevent taking the child into custody; and
 - (2) provide culturally appropriate remedial services to the parents.
 - C. The department's active efforts to coordinate services to prevent taking the child into custody shall be documented in any subsequent action resulting in the child coming into the department's custody."
4. Reletter the succeeding subsections accordingly.
5. On page 16, between lines 11 and 12, insert the following new subsection:

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"F. At the conclusion of every proceeding pursuant to the Children's Code, the court shall make a written determination as to whether the department has made active efforts to provide services and support to preserve and reunify the family."

6. Reletter the succeeding subsections accordingly.

7. On page 17, line 13, strike "E" and insert in lieu thereof "H".

8. On page 17, line 25, strike "E" and insert in lieu thereof "H".

9. On page 18, line 15, strike "G and H" and insert in lieu thereof "J and K".

10. On page 20, line 2, after "unsuccessful", insert "and the reasons these efforts were unsuccessful, if known".

11. On page 20, line 17, strike "and" and insert in lieu thereof "demonstrating the quality and quantity of services and assistance provided,".

12. On page 21, line 9, after "identifying", insert "and establishing".

13. On page 22, line 19, strike the second occurrence of "and".

14. On page 22, line 22, strike the period and the closing quotation mark and insert in lieu thereof "; and".

15. On page 22, between lines 22 and 23, insert the following new subparagraph:

"(k) any other efforts that are appropriate to the Indian child's circumstances.".

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16. On page 30, line 3, strike the closing quotation mark.

17. On page 30, between lines 3 and 4, insert the following new subsection:

"H. An employee of the department shall not serve as a qualified expert witness pursuant to this section."".

18. On page 32, line 3, strike "or 17" and insert in lieu thereof ", 12, 15, 17, 19, 20 or 22".,

and thence referred to the **JUDICIARY COMMITTEE**.

Respectfully submitted,

SHANNON D. PINTO, CHAIR

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 6 For 0 Against

Yes: 6

No: 0

Excused: None

Absent: None

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