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SENATE BILL

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

INTRODUCED BY

Michael Padilla

AN ACT

RELATING TO CHILDREN; EXPANDING ELIGIBILITY FOR THE FOSTERING CONNECTIONS PROGRAM.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 32A-26-3 NMSA 1978 (being Laws 2019, Chapter 149, Section 3, as amended) is amended to read:

"32A-26-3. FOSTERING CONNECTIONS PROGRAM--ELIGIBILITY.--

A. The "fostering connections program" is established in the department. The department shall make the fostering connections program available, on a voluntary basis, to an eligible adult who:

(1) has attained at least eighteen years of age and who is younger than:

(a) as of July 1, 2020, nineteen years of age;

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1 (b) as of July 1, 2021, twenty years of
2 age; and

3 (c) after July 1, 2022, twenty-one years
4 of age;

5 (2) meets one of the following criteria:

6 (a) has attained at least eighteen years
7 of age ~~[and]~~ while: 1) ~~[was adjudicated]~~ in the legal custody
8 of the department as a result of abuse and neglect proceedings,
9 families in need of court-ordered services proceedings or a
10 voluntary placement agreement pursuant to the Children's Code
11 or its equivalent under tribal law; 2) ~~[was]~~ subject to a court
12 order or voluntary placement agreement that placement and care
13 be the responsibility of the department or the Indian tribe
14 that entered into an agreement with the department; and 3)
15 ~~[was]~~ subject to ~~[an]~~ out-of-home placement ~~[order]~~; or

16 (b) attained at least fourteen years of
17 age when a guardianship assistance agreement or adoption
18 assistance agreement was in effect and whose guardianship
19 assistance agreement or adoption assistance agreement was
20 terminated or the guardian or parents are no longer willing to
21 provide emotional or financial support after the child attained
22 eighteen years of age;

23 (3) is:

24 (a) completing secondary education or an
25 educational program leading to an equivalent credential;

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1 (b) enrolled in an institution that
2 provides post-secondary or vocational education;

3 (c) employed for at least eighty hours
4 per month;

5 (d) participating in a program or
6 activity designed to promote employment or remove barriers to
7 employment; or

8 (e) incapable of doing any of the
9 activities described in Subparagraphs (a) through (d) of this
10 paragraph due to a medical or behavioral condition that is
11 supported by regularly updated information in the transition
12 plan; and

13 (4) enters into a voluntary services and
14 support agreement with the department pursuant to the Fostering
15 Connections Act.

16 B. The citizenship or immigration status of a young
17 adult shall not be a factor when determining the young adult's
18 eligibility pursuant to this section."

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