

Senate Engrossed

State of Arizona
Senate
Forty-sixth Legislature
Second Regular Session
2004

CHAPTER 79

SENATE BILL 1055

AN ACT

AMENDING SECTIONS 8-521 AND 8-521.01, ARIZONA REVISED STATUTES; RELATING TO
CHILD WELFARE AND PLACEMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 8-521, Arizona Revised Statutes, is amended to
3 read:

4 8-521. Independent living program; conditions; eligibility;
5 rules; reports

6 A. The department or a licensed child welfare agency may establish an
7 independent living program for youths who are the subject of a dependency
8 petition or who are adjudicated dependent and are all of the following:

9 1. In the custody of the department, or a licensed child welfare
10 agency OR A TRIBAL CHILD WELFARE AGENCY.

11 2. At least seventeen years of age.

12 3. Employed or full-time students.

13 B. The independent living program may consist of a residential program
14 of less than twenty-four hours' a day supervision for youths under the
15 supervision of the department through a licensed child welfare agency or a
16 foster home under contract with the department. Under the independent living
17 program the youth is not required to reside at a licensed child welfare
18 agency or foster home.

19 C. The director or the director's designee shall review and approve
20 any recommendation to the court that a youth in the custody of the department
21 be ordered to an independent living program.

22 D. For a youth to participate in an independent living program, the
23 court must order such a disposition pursuant to section 8-845.

24 E. The department, or a licensed child welfare agency OR A TRIBAL
25 CHILD WELFARE AGENCY having custody of the youth shall provide the cost of
26 care as required by section 46-134 for each child placed in an independent
27 living program pursuant to this section, except that the monthly amount
28 provided shall not exceed the average monthly cost of purchased services for
29 the child in the three months immediately preceding placement in an
30 independent living program.

31 F. The department shall adopt rules pursuant to title 41, chapter 6
32 to carry out the purposes of this section.

33 G. The department shall provide quarterly progress reports to the
34 court and to local foster care review boards for each youth participating in
35 the independent living program.

36 H. The local foster care review boards shall review at least once
37 every six months the case of each youth participating in the independent
38 living program.

39 Sec. 2. Section 8-521.01, Arizona Revised Statutes, is amended to
40 read:

41 8-521.01. Transitional independent living program

42 A. The department may establish a transitional independent living
43 program for persons who meet the following qualifications:

44 1. The person is under twenty-one years of age.

1 2. The person was the subject of a dependency petition, adjudicated
2 dependent or placed voluntarily pursuant to section 8-806.

3 B. The department shall provide care and services that complement the
4 person's own efforts to achieve self-sufficiency and to accept personal
5 responsibility for preparing for and making the transition to adulthood. The
6 care and services provided shall be based on an individualized written
7 agreement between the department and the person.

8 C. Care and services may be provided as follows:

9 1. If the person was in out-of-home placement or in the independent
10 living program when the person became eighteen years of age, the department
11 may provide out-of-home placement, independent living or other transitional
12 living support services.

13 2. If the person was in out-of-home placement in the custody of the
14 department, A LICENSED CHILD WELFARE AGENCY OR A TRIBAL CHILD WELFARE AGENCY
15 while the person was sixteen, seventeen or eighteen years of age, the
16 department may provide transitional living support services.

APPROVED BY THE GOVERNOR APRIL 13, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 13, 2004.

Passed the House April 6, 2004,

by the following vote: 57 Ayes,

0 Nays, 3 Not Voting

Jake Flake
Speaker of the House

Norman L. Moore
Chief Clerk of the House

Passed the Senate January 29, 2004,

by the following vote: 26 Ayes,

0 Nays, 4 Not Voting

John Bennett
President of the Senate

Charmine Bellinger
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

7th day of April, 2004

at 2:10 o'clock P. M.

Jennifer Ybarra
Secretary to the Governor

Approved this 13 day of

April, 2004,

at 1:45 o'clock P. M.

Jan Napolitano
Governor of Arizona

S.B. 1055

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 13 day of April, 2004,

at 3:02 o'clock P. M.

Janice K. Brewer
Secretary of State