

House Bill 195 (AS PASSED HOUSE AND SENATE)

By: Representatives Fleming of the 117th, Setzler of the 35th, Burmeister of the 119th,
Freeman of the 140th, Loudermilk of the 14th, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 2 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated,
2 relating to termination of parental rights, so as to change provisions relating to the time frame
3 for hearings and orders on petitions to terminate parental rights; to provide for legislative
4 findings; to provide an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 The General Assembly finds and declares that it is in the best interest of this state's foster
8 children to have a safe and permanent home as soon as possible and that children's interests
9 are not served by remaining in foster care any longer than is absolutely necessary. The
10 General Assembly presumes that once a petition to terminate parental rights is filed in
11 juvenile court, such cases should be heard and decided as expeditiously as possible so as not
12 to result in the delay of a determination of a child's future. It is the intent of the General
13 Assembly to further expedite hearings and final orders in parental rights termination cases
14 and that this Act should not be construed so as to require the refiling of a petition to terminate
15 parental rights or a rehearing of such case if the deadlines enunciated by this Act are not met.

16 **SECTION 2.**

17 Article 2 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to
18 termination of parental rights, is amended by striking Code Section 15-11-106, relating to
19 expedient hearings and disposition of orders, and inserting in lieu thereof the following:

20 "15-11-106.

21 Provided that no just cause has been shown for delay, all All hearings contemplated by this
22 article shall be conducted in an expedient manner. An within 90 days of the date a petition
23 to terminate parental rights is filed pursuant to Code Section 15-11-95. Provided that no
24 just cause has been shown by written finding of fact by the court for delay, an order of
25 disposition shall be issued by the juvenile court no later than one year after the filing of the
26 petition required by Code Section 15-11-95, provided that no just cause has been shown

1 ~~for delay~~ 30 days after the conclusion of the hearing on the petition to terminate parental
2 rights. This Code section shall not affect the right to request a rehearing or the right to
3 appeal the juvenile court's order."

4 **SECTION 3.**

5 This Act shall become effective upon its approval by the Governor or upon its becoming law
6 without such approval.

7 **SECTION 4.**

8 All laws and parts of laws in conflict with this Act are repealed.