

The House Committee on Juvenile Justice offers the following substitute to SB 170:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to
2 programs and protection for children and youth, so as to provide for the establishment of a
3 uniform volunteer certification system; to provide for reports; to provide for an advisory
4 committee; to provide for related matters; to provide for a short title; to repeal conflicting
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 This Act shall be known and may be cited as the "Georgia Serves Act."

9 **SECTION 2.**

10 Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to programs and
11 protection for children and youth, is amended by revising paragraph (2) of subsection (a) of
12 Code Section 49-5-8, relating to powers and duties of the department, as follows:

13 "(2) Child welfare services as follows:

14 (A) Casework services for children and youths and for mothers bearing children out
15 of wedlock, whether living in their own homes or elsewhere, to help overcome
16 problems that result in dependency or delinquency;

17 (B) Protective services that will investigate complaints of abuse or abandonment of
18 children and youths by parents, guardians, custodians, or persons serving in loco
19 parentis and, on the basis of the findings of such investigation, offer social services to
20 such parents, guardians, custodians, or persons serving in loco parentis in relation to the
21 problem or bring the situation to the attention of a law enforcement agency, an
22 appropriate court, or another community agency;

23 (C) Supervising and providing required services and care involved in the interstate
24 placement of children;

- 25 (D) Homemaker service, or payment of the cost of such service, when needed due to
26 the absence or incapacity of the mother;
- 27 (E) Boarding care, or payment of maintenance costs, in foster family homes or in
28 group-care facilities for children and youths who cannot be adequately cared for in their
29 own homes;
- 30 (F) Boarding care or payment of maintenance costs for mothers bearing children out
31 of wedlock prior to, during, and for a reasonable period after childbirth;
- 32 (G) Day-care services for the care and protection of children whose parents are absent
33 from the home or unable for other reasons to provide parental supervision; ~~and~~
- 34 (H) Casework services and care to all children and youths where the parent, custodian,
35 or guardian has placed such children in the custody of the department by voluntary
36 agreement, until such agreement is revoked by the parent, custodian, or guardian upon
37 request that such children be returned to the parent, custodian, or guardian or to another
38 relative or the voluntary agreement expires; provided, however, that nothing in this
39 subparagraph shall prohibit the department from obtaining an order placing such
40 children in its custody in accordance with Article 3 of Chapter 11 of Title 15; and
- 41 (I)(i) Through its Division of Family and Children Services in consultation with its
42 residential child care licensing unit and with child placing agencies, adopting policies
43 and procedures to establish a uniform system for the approval of volunteers to provide
44 appropriate services, including, but not limited to, babysitting and mentoring of youth,
45 to children in foster care who are in the custody of the department and the foster
46 parents who care for such children in order to streamline the provision of services to
47 such children and foster parents. Such uniform system shall include requirements for
48 volunteers which may include, but shall not be limited to: training; evaluations;
49 criminal records checks as provided by the Georgia Crime Information Center and the
50 Federal Bureau of Investigation and as permitted by state and federal law; home
51 inspections; investigations; and the review of other records as the department deems
52 appropriate to promote and protect the safety and well-being of children in foster care.
53 Such uniform system shall be established in a manner that is not in conflict with and
54 is supportive of the reasonable and prudent parent standard.
- 55 (ii) The Division of Family and Children Services of the department shall report to
56 the General Assembly beginning January 1, 2018, regarding the progress in adopting
57 policies and procedures for the uniform system, and annually thereafter on the
58 operations of the uniform system. The division shall establish such policies and
59 procedures for the uniform system and provide a final report to the General Assembly
60 no later than December 31, 2018.

61 (iii) The Division of Family and Children Services may amend the policies and
 62 procedures of the uniform system established pursuant to this subparagraph, as
 63 necessary in its discretion, to promote the safety and well-being of children in foster
 64 care or to improve the operation of such system.

65 (iv) The department shall utilize an advisory committee which shall make
 66 recommendations concerning such uniform system. The advisory committee shall
 67 consist of the following individuals appointed by the Governor and shall meet at least
 68 quarterly until the establishment of the uniform system is complete as required on
 69 December 31, 2018. The members of the advisory committee shall include:

70 (I) The director of the Division of Family and Children Services of the department
 71 or his or her designee, who shall serve as chairperson of the committee;

72 (II) The commissioner of human services or his or her designee;

73 (III) The child advocate for the protection of children established under Code
 74 Section 15-11-742 or his or her designee;

75 (IV) One representative from a child-placing agency;

76 (V) One representative from a child-caring institution;

77 (VI) One licensed member of the State Bar of Georgia who holds child welfare law
 78 certification;

79 (VII) One current foster parent;

80 (VIII) One director of a county department of family and children services;

81 (IX) One representative from a community based organization that provides
 82 volunteer support or advocacy to foster children;

83 (X) One former dependent child or youth who spent at least one year in foster care;

84 and

85 (XI) A representative of the Georgia Crime Information Center designated by the
 86 director of the Georgia Bureau of Investigation.

87 This division shall stand repealed on December 31, 2018."

88 **SECTION 3.**

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