

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 10, 2008
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB08-1156 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend reengrossed bill, page 18, line 4, strike "include, in addition to a
2 period of commitment," and substitute "~~include, in addition to a period of~~
3 ~~commitment~~, BE FOLLOWED BY".

4 Page 19, line 16, strike "(7)," and substitute "(7) and (9)," and, strike "is"
5 and substitute "are";

6 line 18, strike "A" and substitute "THE FOLLOWING" and, strike
7 "SUBSECTION," and substitute "SUBSECTIONS,".

8 Page 20, after line 7, insert the following:

9 "(9) At least ninety days prior to ~~termination~~ EXPIRATION of
10 commitment to the department of human services, notification shall be
11 given to the RESPONSIBLE person ~~or agency that~~ WHO had custody of the
12 juvenile IMMEDIATELY prior to the commitment. ~~Custody of the juvenile~~
13 ~~shall return to the person or agency having custody prior to the~~
14 ~~commitment, unless a court of competent jurisdiction orders that custody~~
15 ~~shall be in a different person or agency.~~ REASONABLE EFFORTS SHALL BE
16 MADE TO RETURN CUSTODY OF THE JUVENILE TO THE FAMILY OR
17 RESPONSIBLE PERSON WHO HAD CUSTODY OF THE JUVENILE IMMEDIATELY
18 PRIOR TO THE COMMITMENT, UNLESS A COURT OF COMPETENT
19 JURISDICTION ORDERS THAT CUSTODY OF THE JUVENILE SHALL BE WITH A
20 DIFFERENT PERSON.

1 (10) WHEN CUSTODY OF A JUVENILE WHO WILL BE UNDER THE AGE
2 OF EIGHTEEN YEARS AT THE TIME OF EXPIRATION OF COMMITMENT
3 CANNOT BE DETERMINED OR NONE OF THE RESOURCES DESCRIBED IN
4 SUBSECTION (9) OF THIS SECTION EXIST, THE DIVISION OF YOUTH
5 CORRECTIONS SHALL MAKE A REFERRAL TO THE LAST KNOWN COUNTY OF
6 RESIDENCE OF THE RESPONSIBLE PERSON HAVING CUSTODY OF THE
7 JUVENILE IMMEDIATELY PRIOR TO THE COMMITMENT. THE REFERRAL TO
8 THE COUNTY SHALL BE MADE BY THE DIVISION OF YOUTH CORRECTIONS AT
9 LEAST 90 DAYS PRIOR TO THE EXPIRATION OF THE JUVENILE'S
10 COMMITMENT. THE COUNTY DEPARTMENT OF HUMAN SERVICES OR
11 COUNTY DEPARTMENT OF SOCIAL SERVICES SHALL CONDUCT AN
12 ASSESSMENT OF THE CHILD PROTECTION NEEDS OF THE JUVENILE AND,
13 PURSUANT TO RULES ADOPTED BY THE STATE BOARD, PROVIDE SERVICES
14 IN THE BEST INTEREST OF THE JUVENILE. THE DIVISION OF YOUTH
15 CORRECTIONS SHALL WORK IN COLLABORATION WITH THE COUNTY
16 DEPARTMENT CONDUCTING THE ASSESSMENT AND SHALL PROVIDE PAROLE
17 SUPERVISION SERVICES AS DESCRIBED IN SECTION 19-2-1003."

** ** ** ** **