

IN THE SENATE

SENATE BILL NO. 1379

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO CONGREGATE CARE; AMENDING CHAPTER 16, TITLE 16, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 16-1619B, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE PLACEMENT OF A CHILD IN A CONGREGATE CARE SETTING; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 16, Title 16, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 16-1619B, Idaho Code, and to read as follows:

16-1619B. PLACEMENT OF CHILD IN CONGREGATE CARE SETTINGS. (1) Where legal custody of a child is vested in the department and the department places the child in a short-term rental, temporary shelter care, or congregate care setting, the department shall file a notice of such placement with the court within seven (7) days of the placement. The notice shall identify the type of placement and the date of the placement.

(2) No child twelve (12) years of age or younger shall be placed in a short-term rental, temporary shelter care, or congregate care setting unless the director of the department has granted express written approval of such placement. Written approval may be given by the director only when:

(a) The child is three (3) years of age or older; the child is a part of a sibling group placed in the same short-term rental, temporary shelter care, or congregate care setting; and at least one (1) of the members of the sibling group is thirteen (13) years of age or older;

(b) The child is six (6) years of age or older and has been taken into shelter care through the emergency removal process pursuant to section 16-1608, Idaho Code; or

(c) The child's teenage mother is placed in the same short-term rental, temporary shelter, or congregate care setting.

(3) Children who do not meet the eligibility requirements set forth in section 16-1619A, Idaho Code, shall not be placed in a qualified residential treatment program or a short-term rental, temporary shelter care, or congregate care setting for more than two (2) weeks, except for documented emergency circumstances. The director of the department must approve the placement of all children residing in such settings for more than two (2) weeks and shall approve the continued placement of the child in such settings at least every two (2) weeks.

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after July 1, 2024.