



# Senate

General Assembly

**File No. 505**

February Session, 2024

Substitute Senate Bill No. 359

*Senate, April 16, 2024*

The Committee on Judiciary reported through SEN. WINFIELD of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT CONCERNING SERVICES PROVIDED BY THE DEPARTMENT OF CHILDREN AND FAMILIES TO RELATIVES OF A PERSON WHOSE DEATH WAS CAUSED BY INTIMATE PARTNER VIOLENCE.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17a-101m of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2024*):

3 (a) Immediately upon being informed of an intimate partner  
4 homicide involving the parents of a child, the Commissioner of Children  
5 and Families shall assign an intimate partner violence specialist,  
6 employed by the department to the matter. The intimate partner  
7 violence specialist shall exercise due diligence to identify all adult  
8 grandparents and other adult relatives of the child, including any adult  
9 relatives suggested by the grandparents, subject to exceptions due to  
10 family or domestic violence, who could potentially care for the child of  
11 the deceased parent. Not later than seven days after being assigned to  
12 the matter, the intimate partner violence specialist shall provide a list

13 containing pertinent identifying information of all adult relatives who  
14 potentially could care for the child of the deceased parent to the  
15 commissioner. The commissioner shall thereafter provide written  
16 materials to the identified adult relatives who could potentially care for  
17 the child of the deceased parent that (1) explain the options that any  
18 such relative has under federal, state and local law to participate in the  
19 care and placement of the child, including, but not limited to,  
20 information describing the process for filing a petition in the Probate  
21 Court seeking guardianship or custody of the child; (2) describe the  
22 requirements (A) to obtain a foster care license pursuant to section 17a-  
23 114, and (B) for additional services and supports that are available for  
24 children placed in such a home; and (3) describe the subsidized  
25 guardianship program under section 17a-126, including (A) eligibility  
26 requirements, (B) the process for applying to the program, and (C)  
27 financial assistance available under the program.

28 (b) Immediately upon the removal of a child from the custody of the  
29 child's parent or guardian pursuant to subsection (e) of section 17a-101g  
30 or section 46b-129, the Commissioner of Children and Families shall  
31 exercise due diligence to identify all adult grandparents and other adult  
32 relatives of the child, including any adult relatives suggested by the  
33 parents, subject to exceptions due to family or domestic violence. Not  
34 later than thirty days after the removal, the commissioner shall provide  
35 such grandparents and other relatives with notice that (1) the child has  
36 been or is being removed from the custody of the child's parent or  
37 guardian; (2) explains the options that the relative has under federal,  
38 state and local law to participate in the care and placement of the child,  
39 including any options that may be lost by failing to respond to the  
40 notice; (3) describes the requirements (A) to obtain a foster care license  
41 pursuant to section 17a-114, and (B) for additional services and supports  
42 that are available for children placed in such a home; and (4) describes  
43 the subsidized guardianship program under section 17a-126, including  
44 (A) eligibility requirements, (B) the process for applying to the program,  
45 and (C) financial assistance available under the program.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2024	17a-101m

**Statement of Legislative Commissioners:**

In Subsec. (a), references to "or children" and "minor" child were deleted for internal consistency with the provisions of Subsec. (b).

**JUD**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 25 \$	FY 26 \$
Children & Families, Dept.	GF - Cost	211,618	211,618
State Comptroller - Fringe Benefits <sup>1</sup>	GF - Cost	72,855	72,855

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill, which requires the Department of Children and Families (DCF) to assign an Intimate Partner Violence Specialist to any case involving an intimate partner homicide of a child's parent, results in annual costs to the department (\$211,618) and the State Comptroller - Fringe Benefits (\$72,855). These reflect support for two Advanced Clinical Social Workers (\$176,618) as well as the development of, and on-going updates to, educational materials (\$35,000).

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

<sup>1</sup>The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 41.25% of payroll in FY 25.

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**OLR Bill Analysis****sSB 359*****AN ACT CONCERNING SERVICES PROVIDED BY THE DEPARTMENT OF CHILDREN AND FAMILIES TO RELATIVES OF A PERSON WHOSE DEATH WAS CAUSED BY INTIMATE PARTNER VIOLENCE.*****SUMMARY**

This bill establishes procedures the Department of Children and Families (DCF) must follow when an intimate partner homicide involves a child's parent.

The bill requires the DCF commissioner, upon being informed about the homicide, to assign the case to an employee who is an intimate partner violence specialist. Under the bill, the intimate partner violence specialist is responsible for using due diligence to identify adults who could potentially care for the child. These relatives include the child's adult grandparents and other adult relatives, such as any the grandparents suggest, with exceptions due to family or domestic violence.

Under the bill, within seven days after being assigned the case, the intimate partner violence specialist must give the commissioner a list of the pertinent identifying information of all adult relatives who potentially could care for the child. The commissioner must then give certain written materials to the listed individuals, including information about options to participate in the child's care and placement.

EFFECTIVE DATE: July 1, 2024

**WRITTEN MATERIALS**

Under the bill, the commissioner must give people on the list written materials that:

1. explain the options that the relative has under federal, state, and local law to participate in the child's care and placement, including information on how to file a guardianship or custody petition in the probate court;
2. describe the requirements to get a foster care license and for additional services and supports available to children placed in a foster home; and
3. describe the subsidized guardianship program (see BACKGROUND), including eligibility requirements, how to apply, and available financial assistance.

## **BACKGROUND**

### ***Subsidized Guardianship Program***

Licensed relative guardians of children involved in the child welfare system (e.g., victims of child abuse) can receive benefits under the DCF Subsidized Guardianship program once the child or children have lived with the caregiver for at least six months. Guardians receive monthly stipends at the prevailing foster care rate. Relative guardians may also qualify for a one-time exceptional expense payment of up to \$500 per child for expenses incurred in the guardianship transfer process (Conn. Agencies Regs., §§ 17a-126-1 to 17a-126-23).

## **COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 31    Nay 4    (04/01/2024)