

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

SENATE BILL 656

5 By: Senator G. Stubblefield  
6 By: Representative D. Meeks  
7

## For An Act To Be Entitled

9 AN ACT TO EXPAND THE DEFINITION OF "FICTIVE KIN"; AND  
10 FOR OTHER PURPOSES.  
11

### Subtitle

14 TO EXPAND THE DEFINITION OF "FICTIVE  
15 KIN".  
16  
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
19

20 SECTION 1. Arkansas Code § 9-27-303, concerning the definitions of  
21 terms used in the Arkansas Juvenile Code, is amended to add an additional  
22 subdivision to read as follows:

23 (65)(A) "Fictive kin" means a person selected by the Division of  
24 Children and Family Services who:

25 (i) Is not related to a child by blood or marriage;

26 and

27 (ii) Has a strong, positive, and emotional tie or

28 role in the:

29 (a) Child's life; or

30 (b) Child's parent's life if the child is an  
31 infant.

32 (B) The Director of the Division of Children and Family  
33 Services or his or her designee shall approve a fictive kin for an infant.  
34

35 SECTION 2. Arkansas Code § 9-28-108(a)(1), concerning the definition  
36 of fictive kin in the context of juvenile placements, is amended to read as



1 follows:

2 (1) "Fictive kin" means a person ~~not related to a child by blood~~  
3 ~~or marriage, but who has a strong positive emotional tie to the child and has~~  
4 ~~a positive role in the child's life, such as a godparent, neighbor, or family~~  
5 ~~friend~~ selected by the Division of Children and Family Services who:

6 (A) Is not related to a child by blood or marriage; and

7 (B) Has a strong, positive, and emotional tie or role in  
8 the:

9 (i) Child's life; or

10 (ii) Child's parent's life if the child is an  
11 infant; and

12

13 SECTION 3. Arkansas Code § 9-28-402(16), concerning the definition of  
14 provisional foster home under the Child Welfare Agency Licensing Act, is  
15 amended to read as follows:

16 (16) "Provisional foster home" means a foster home opened for no  
17 more than six (6) months by the Division of Children and Family Services of  
18 the Department of Human Services for a relative or fictive kin of a child in  
19 the custody of the Division of Children and Family Services of the Department  
20 of Human Services after it:

21 (A) Determines that placement with the proposed fictive  
22 kin or relative is in the best interest of the child;

23 ~~(A)(B)~~ (B) Conducts a health and safety check, including a  
24 central registry check and a criminal background check or a check with local  
25 law enforcement, of the relative's home; and

26 ~~(B)(C)~~ (C) Performs a visual inspection of the home of the  
27 relative to verify that the relative and the home will meet the standards for  
28 opening a regular foster home;

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30 SECTION 4. Arkansas Code § 9-28-402, concerning the definitions of  
31 terms used under the Child Welfare Agency Licensing Act, is amended to add an  
32 additional subdivision to read as follows:

33 (25)(A) "Fictive kin" means a person selected by the Division of  
34 Children and Family Services who:

35 (i) Is not related to a child by blood or marriage;  
36 and

1                                    (ii) Has a strong, positive, and emotional tie or  
2 role in the:

3                                    (a) Child's life; or

4                                    (b) Child's parent's life if the child is an  
5 infant.

6                                    (B) The Director of the Division of Children and Family  
7 Services or his or her designee shall approve a fictive kin for an infant.

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