

SENATE BILL NO. 211

BY SENATORS GATTI AND BISHOP

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AN ACT

To amend and reenact Children's Code Art. 1036(C), relative to children; to provide relative to return from foster care; to provide relative to parental compliance with a case plan; to provide relative to testing for synthetic or other controlled dangerous substances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Children's Code Art. 1036(C) is hereby amended and reenacted to read as follows:

Art. 1036. Proof of parental misconduct

* * *

C. Under Article 1015(6), lack of parental compliance with a case plan may be evidenced by one or more of the following:

- (1) The parent's failure to attend court-approved scheduled visitations with the child.
- (2) The parent's failure to communicate with the child.
- (3) The parent's failure to keep the department apprised of the parent's whereabouts and significant changes affecting the parent's ability to comply with the case plan for services.
- (4) The parent's failure to contribute to the costs of the child's foster care, if ordered to do so by the court when approving the case plan.
- (5) The parent's repeated failure to comply with the required program of treatment and rehabilitation services provided in the case plan.
- (6) The parent's lack of substantial improvement in redressing the problems preventing reunification.
- (7) The persistence of conditions that led to removal or similar potentially

1 harmful conditions.

2 (8)(a) The parent's failure to provide a negative test result for all
3 synthetic or other controlled dangerous substances, except for any drug for
4 which the parent has lawfully received a prescription, at the completion of a
5 reasonable case plan.

6 (b) For purposes of this Article, "controlled dangerous substance" shall
7 have the meaning ascribed in R.S. 40:961.

8 * * *

9 Section 2. This Act shall become effective upon signature by the governor or, if not
10 signed by the governor, upon expiration of the time for bills to become law without signature
11 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
12 vetoed by the governor and subsequently approved by the legislature, this Act shall become
13 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____