

SENATE BILL NO. 313

BY SENATORS BARROW AND THOMPSON

1 AN ACT

2 To amend and reenact R.S. 36:4(B)(8), to enact R.S. 46:2605.1 through 2605.3, and to
3 repeal R.S. 36:478(L) and Chapter 66 of Title 46 of the Louisiana Revised Statutes
4 of 1950, comprised of R.S. 46:2911 through 2913, relative to the Council on the
5 Status of Grandparents Raising Grandchildren; to provide for the transfer of this
6 council from the Department of Children and Family Services to the office of the
7 governor; to provide for the council's membership, responsibilities and duties, and
8 its fund; to provide terms, conditions, requirements, and procedures; and to provide
9 for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 36:4(B)(8) is hereby amended and reenacted to read as follows:

12 §4. Structure of executive branch of state government

13 * * *

14 B. The office of the governor shall be in the executive branch of state
15 government.

16 * * *

17 (8) The Children's Cabinet and the Children's Cabinet Advisory Board, as
18 more specifically provided in R.S. 46:2601 through 2607, **and the Council on the**
19 **Status of Grandparents Raising Grandchildren, as more specifically provided**
20 **in R.S. 46:2605.1 through 2605.3**, shall be placed within the office of the governor.

21 * * *

22 Section 2. R.S. 46:2605.1 through 2605.3 are hereby enacted to read as follows:

23 **§2605.1. Council on the Status of Grandparents Raising Grandchildren**

24 **A. There is hereby established the Council on the Status of Grandparents**
25 **Raising Grandchildren, hereinafter referred to as the "council", as a**
26 **subcommittee of the Children's Cabinet Advisory Board. The domicile of the**

1 council shall be in the parish of East Baton Rouge.

2 B. The council shall be composed of the following members:

3 (1) The executive director of the Children's Cabinet Advisory Board, or
4 his designee.

5 (2) Three members representing the Department of Children and Family
6 Services appointed by the secretary of the department, one of whom shall be a
7 representative of the kinship care subsidy program, one of whom shall be a
8 representative of the Supplemental Nutrition Assistance Program, and one of
9 whom shall be a representative of the foster care program.

10 (3) Two members representing the Department of Health and Hospitals
11 appointed by the secretary of the department, one of whom shall be a
12 representative of the behavioral health program, and one of whom shall be a
13 representative of the Medicaid eligibility program.

14 (4) A member representing the Department of Education appointed by
15 the superintendent, who shall be a representative of the child care assistance
16 program.

17 (5) The executive director of the Louisiana Workforce Commission, or
18 his designee.

19 (6) The deputy secretary of the Department of Public Safety and
20 Corrections, Youth Services, office of juvenile justice, or his designee.

21 (7) A member of the Senate to be appointed by the president of the
22 Senate.

23 (8) A member of the House of Representatives to be appointed by the
24 speaker of the House of Representatives.

25 (9) The executive director of the Governor's Office of Elderly Affairs, or
26 his designee.

27 (10) The president of the Louisiana Association of School
28 Superintendents, or his designee.

29 (11) One member representing and appointed by Agenda for Children.

30 (12) One member representing and appointed by Prevent Child Abuse

1 Louisiana.

2 (13) One member representing and appointed by the Louisiana
3 Children's Trust Fund.

4 (14) At least five citizens who have demonstrated a commitment to the
5 rearing of grandchildren by grandparents, to be nominated by the executive
6 director of the Children's Cabinet Advisory Board and approved by the council.

7 (15) One member representing and appointed by the National
8 Association of Social Workers - Louisiana.

9 (16) One member representing and appointed by LouisianaChildren.org.

10 (17) One member representing and appointed by the Louisiana Council
11 of Juvenile and Family Court Judges.

12 (18) One member representing and appointed by the Louisiana State Bar
13 Association.

14 (19) One representative of the Grandparents Raising Grandchildren
15 Information Center of Louisiana.

16 (20) One member representing and appointed by the Access to Justice
17 Committee of the Louisiana State Bar Association.

18 (21) The president of the Louisiana Head Start Association, or his
19 designee.

20 C. Members of the council shall serve four-year terms and shall not
21 receive any compensation or reimbursement of expenses. Each member of the
22 council shall hold office until the appointment and qualification of his successor.
23 Whenever a vacancy occurs in an appointed position, the vacancy shall be filled
24 in the same manner and under the same terms and conditions as required for
25 the original appointment.

26 D. Meetings of the council shall be held in the city of Baton Rouge. At the
27 first meeting each year the chair and vice chair of the council shall be appointed
28 by the executive director of the Children's Cabinet Advisory Board with the
29 consultation and approval of the council. The council may adopt such rules of
30 procedure as are necessary to facilitate orderly conduct of its business.

1 E. The council shall meet at least quarterly. Meetings shall be held on the
2 call of the chair or at the request of at least three members of the council. A
3 majority of the council shall constitute a quorum for the transaction of business.
4 All official actions of the council shall require the affirmative vote of a majority
5 of the quorum.

6 F. All departments, boards, agencies, officers, and institutions of the
7 state and all subdivisions thereof shall cooperate with the council in carrying
8 out its purposes pursuant to R.S. 46:2605.1 through 2605.3.

9 G. The council shall make, or cause to be made, all such studies, reviews,
10 or analyses which it finds necessary to effect its purpose.

11 H. The council may receive and expend funds appropriated or otherwise
12 made available by the legislature or from any other source, including donations
13 or gifts of money or services from public or private organizations or from any
14 other sources, to be utilized for the purposes of the council and as further
15 provided in R.S. 46:2605.3.

16 §2605.2. Council; responsibilities and duties

17 A. The council shall be a resource to the state on issues affecting
18 grandparents raising grandchildren in the state. In furtherance of that
19 responsibility, the council shall undertake efforts to provide for the following:

20 (1) Foster unity among grandparents raising grandchildren,
21 communities, and organizations in the state by promoting cooperation and
22 sharing of information and encouraging collaboration and joint activities.

23 (2) Serve as a liaison between government and private interest groups
24 with regard to matters of unique interest and concern to grandparents raising
25 grandchildren in the state.

26 (3) Assess programs and practices in all state agencies as they affect
27 grandparents raising grandchildren, as the council deems necessary and
28 appropriate.

29 (4) Identify and discuss best practices as they affect grandparents raising
30 grandchildren and explore how these practices can be adapted to programs and

1 services being provided within the state.

2 (5) Advise executive and legislative bodies of the potential effect of
 3 proposed legislation on grandparents raising grandchildren, as the council
 4 deems necessary and appropriate.

5 (6) Investigate the merits of the establishment of a state agency or
 6 program within a department dedicated to grandparents' issues and determine
 7 how such agency or program would be organized and implemented.

8 (7) Identify a system for educating grandparents who lack the
 9 appropriate information and resources regarding the care and custody of their
 10 grandchildren.

11 (8) Identify issues that are faced by nonparent relatives providing
 12 primary care for children.

13 B. The council shall issue its annual report by January thirty-first each
 14 year, stating the findings, conclusions, and recommendations of the council. The
 15 council shall submit the report to the governor, the president of the Senate, the
 16 speaker of the House of Representatives, and the chairmen of the committees
 17 with appropriate jurisdiction in the House of Representatives and in the Senate.

18 §2605.3. Status of Grandparents Raising Grandchildren Fund

19 A. There is hereby created in the state treasury, as a special fund, the
 20 Status of Grandparents Raising Grandchildren Fund, hereinafter referred to
 21 as the "fund".

22 B.(1) The source of monies deposited into the fund shall be any monies
 23 appropriated annually by the legislature, including federal funds, any public or
 24 private donations, gifts, or grants from individuals, corporations, nonprofit
 25 organizations, or other business entities which may be made to the fund, and
 26 any other monies which may be obtained or provided by law.

27 (2) Monies in the fund shall be invested in the same manner as monies
 28 in the state general fund and interest earned on investment of monies in the
 29 fund shall be credited to the state general fund. Unexpended and unencumbered
 30 monies in the fund at the end of the fiscal year shall remain in the fund.

1 **C. Subject to an annual appropriation by the legislature, monies in the**
 2 **fund shall be used as directed by the council solely for the purposes set forth in**
 3 **R.S. 46:2605.1 and 2605.2.**

4 Section 3. R.S. 36:478(L) and Chapter 66 of Title 46 of the Louisiana Revised
 5 Statutes of 1950, comprised of R.S. 46:2911 through 2913, are hereby repealed.

6 Section 4.(A) The legislature hereby finds that supporting kinship caregivers such
 7 as grandparents who raise grandchildren contributes greatly to family preservation and
 8 enhances the well-being of children of this state.

9 (B) This Act shall be known and may be cited as the "State Representative Rodnette
 10 "Ronnie" Bethley Edwards Act".

11 Section 5. This Act shall become effective upon signature by the governor or, if not
 12 signed by the governor, upon expiration of the time for bills to become law without signature
 13 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 14 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 15 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____