

SENATE BILL NO. 57

BY SENATOR BROOME AND REPRESENTATIVES AUSTIN BADON, BALDONE, BARROW, HENRY BURNS, CORTEZ, GISCLAIR, HARRISON, HONORE, JOHNSON, ROSALIND JONES, LEGER, MILLS, MORENO, NORTON, RITCHIE, JANE SMITH, ST. GERMAIN, STIAES, THIERRY AND WILLMOTT

1 AN ACT

2 To enact R.S. 36:478(L) and Chapter 64 of Title 46 of the Louisiana Revised Statutes of  
3 1950, to be comprised of R.S. 46:2901 through 2903, relative to public welfare and  
4 assistance; to create the Council on the Status of Grandparents Raising  
5 Grandchildren within the Department of Social Services; to provide for the  
6 membership of the council; to provide for the duties and responsibilities of the  
7 council; to provide for reporting requirements; to create the Status of Grandparents  
8 Raising Grandchildren Fund as a special fund in the state treasury; to provide for the  
9 deposit into and use of monies in the fund; to provide for an effective date; and to  
10 provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 36:478(L) is hereby enacted to read as follows:

13 §478. Transfer of agencies and functions to Department of Social Services

14 \* \* \*

15 **L. The Council on the Status of Grandparents Raising Grandchildren**  
16 **is placed within the Department of Social Services and shall exercise and**  
17 **perform its powers, duties, functions, and responsibilities in the manner**  
18 **provided for agencies transferred in accordance with the provisions of R.S.**  
19 **36:801.**

20 Section 2. Chapter 64 of Title 46 of the Louisiana Revised Statutes of 1950,  
21 comprised of R.S. 46:2901 through 2903, is hereby enacted to read as follows:

22 **CHAPTER 64. COUNCIL ON THE STATUS OF GRANDPARENTS**

23 **RAISING GRANDCHILDREN**

24 **§2901. Council on the Status of Grandparents Raising Grandchildren**

25 **A. There is hereby established the Council on the Status of Grandparents**

1           Raising Grandchildren, hereinafter referred to as the "council" within the  
2           Department of Social Services. The domicile of the council shall be in the parish  
3           of East Baton Rouge.

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

5           (1) The secretary of the Department of Social Services, or his designee.

6           (2) The secretary of the Department of Health and Hospitals, or his  
7           designee.

8           (3) The superintendent of the Department of Education, or his designee.

9           (4) The executive director of the Louisiana Workforce Commission, or  
10          his designee.

11          (5) The deputy secretary of the Department of Public Safety and  
12          Corrections, Youth Services, office of juvenile justice.

13          (6) A member of the Senate to be appointed by the president of the  
14          Senate.

15          (7) A member of the House of Representatives to be appointed by the  
16          speaker of the House of Representatives.

17          (8) The executive director of the Governor's Office of Elderly Affairs,  
18          or his designee.

19          (9) The executive director of the Children's Cabinet, or his designee.

20          (10) The chairman of the Children's Cabinet Advisory Board, or his  
21          designee.

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

23          (12) The director of the Louisiana office of the Children's Defense Fund  
24          or his designee.

25          (13) One member representing and appointed by Prevent Child Abuse  
26          Louisiana.

27          (14) One member representing and appointed by the Louisiana  
28          Children's Trust Fund.

29          (15) One member representing and appointed by the Louisiana  
30          Maternal and Child Health Coalition.

1           (16) No fewer than three and no more than five citizens who have  
2           demonstrated a commitment to the rearing of grandchildren by grandparents,  
3           to be nominated by the secretary of the Department of Social Services and  
4           approved by the council.

5           (17) One member representing and appointed by the National  
6           Association of Social Workers.

7           (18) One member representing and appointed by the Louisiana Court-  
8           Appointed Special Advocate Association.

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

11          (20) One member representing and appointed by the Louisiana State  
12          Bar Association.

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

19          D. Meetings of the council shall be held in the city of Baton Rouge. At  
20          the first meeting each year the chairman and vice chairman of the council shall  
21          be appointed by the secretary of the Department of Social Services with the  
22          consultation and approval of the council. The council may adopt such rules of  
23          procedure as are necessary to facilitate orderly conduct of its business.

24          E. The council shall meet at least quarterly. Meetings shall be held on  
25          the call of the chairman or at the request of at least three members of the  
26          council. A majority of the council shall constitute a quorum for the transaction  
27          of business. All official actions of the council shall require the affirmative vote  
28          of a majority of the members.

29          F. All departments, boards, agencies, officers, and institutions of the  
30          state and all subdivisions thereof shall cooperate with the council in carrying

1 out its purposes pursuant to this Chapter.

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

4 H. The council may receive and expend funds appropriated or otherwise  
 5 made available by the legislature or from any other source, including donations  
 6 or gifts of money or services from public or private organizations or from any  
 7 other sources, to be utilized for the purposes of the council and as further  
 8 provided in R.S. 46:2903.

9 §2902. Council; responsibilities and duties

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

13 (1) Foster unity among grandparents raising grandchildren  
 14 communities and organizations in the state by promoting cooperation and  
 15 sharing of information and encouraging collaboration and joint activities.

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

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

22 (4) Identify and discuss best practices as they affect grandparents  
 23 raising grandchildren and explore how these practices can be adapted to  
 24 programs and services being provided within the state.

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

28 (6) Investigate the merits of the establishment of a state agency or  
 29 program within a department dedicated to grandparents' issues and determine  
 30 how such agency or program would be set up.

1           (7) Identify a system for educating grandparents who lack the  
2           appropriate information and resources regarding the care and custody of their  
3           grandchildren.

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

6           B. The council shall issue its first annual report by March 1, 2011, and  
7           by January first each following year, stating the findings, conclusions, and  
8           recommendations of the council. The council shall submit the report to the  
9           governor, the president of the Senate, the speaker of the House of  
10           Representatives, and the chairmen of the committees with appropriate  
11           jurisdiction in the House of Representatives and in the Senate.

12           §2903. Status of Grandparents Raising Grandchildren Fund

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

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

21           (2) Monies in the fund shall be invested in the same manner as monies  
22           in the state general fund and interest earned on investment of monies in the  
23           fund shall be credited to the state general fund. Unexpended and  
24           unencumbered monies in the fund at the end of the fiscal year shall remain in  
25           the fund.

26           C. Subject to an annual appropriation by the legislature, monies in the  
27           fund shall be used as directed by the council solely for the purposes set forth in  
28           this Chapter.

29           Section 3. This Act shall become effective upon signature by the governor or, if not  
30           signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
3 effective on the day following such approval.

---

PRESIDENT OF THE SENATE

---

SPEAKER OF THE HOUSE OF REPRESENTATIVES

---

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_