

1 S.243

2 Introduced by Senator Illuzzi

3 Referred to Committee on

4 Date:

5 Subject: Human services; children in need of care or supervision; Indian Child
6 Welfare Act

7 Statement of purpose: This bill proposes to apply the provisions of the federal
8 Indian Child Welfare Act to children of state-recognized Indian tribes in
9 Vermont proceedings involving children in need of care or supervision
10 (CHINS).

11 An act relating to CHINS proceedings involving children who are members
12 of a state-recognized Indian tribe

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 33 V.S.A. § 5120 is amended to read:

15 § 5120. INDIAN CHILD WELFARE ACT

16 The federal Indian Child Welfare Act, 25 U.S.C. § 1901 et seq., governs
17 any proceeding under this title that pertains to an Indian child, as defined by
18 the Indian Child Welfare Act, except that the child may be a member of a
19 federally recognized or a state-recognized tribe, and prevails over any
20 inconsistent provision of this title.

- 1 Sec. 2. EFFECTIVE DATE
- 2 This act shall take effect on passage.