

1 SENATE BILL NO. 352

2 INTRODUCED BY D. LENZ

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING AN INTERIM TASK FORCE TO MODIFY AND  
5 IMPROVE CHILD PROTECTIVE SERVICES; SPECIFYING MEMBERS AND DUTIES; PROVIDING FOR  
6 REPORTS; PROVIDING FOR CONTINGENT VOIDNESS; AND PROVIDING AN IMMEDIATE EFFECTIVE  
7 DATE AND A TERMINATION DATE."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 NEW SECTION. Section 1. Task force on child protective services. (1) There is a task force on  
12 child protective services.

13 (2) The task force includes the following members:

14 (a) two members of the house of representatives, one of whom must be appointed by the speaker  
15 of the house of representatives and one of whom must be appointed by the minority leader of the house of  
16 representatives;

17 (b) two members of the senate, one of whom must be appointed by the president of the senate  
18 and one of whom must be appointed by the minority leader of the senate;

19 (c) the director of the department of public health and human services or a designee of the  
20 director;

21 (d) a county attorney or a designee of a county attorney;

22 (e) a district court judge appointed by the chief justice of the supreme court;

23 (f) the director of the office of state public defender or a designee of the director;

24 (g) ~~a tribal member with experience relating to the Indian Child Welfare Act appointed by the~~  
25 ~~governor~~ THE INDIAN CHILD WELFARE SPECIALIST APPOINTED BY THE DIRECTOR OF THE DEPARTMENT OF PUBLIC  
26 HEALTH AND HUMAN SERVICES UNDER 52-2-117;

27 (h) a member of the public having experience with the dependency and neglect court system  
28 appointed by the governor; and

1 (i) a member of law enforcement appointed by the governor.

2 (3) (a) Legislative members of the task force are entitled to receive compensation and expenses  
3 as provided in 5-2-302.

4 (b) A nonlegislative member of the task force who is not a full-time salaried officer or employee of  
5 the state or a political subdivision of the state is entitled to salary and expenses to the same extent as a  
6 legislative member.

7 (c) A member of the task force who is a full-time salaried officer or employee of the state or a  
8 political subdivision of the state is entitled to reimbursement for travel expenses as provided in 2-18-501  
9 through 2-18-503.

10 (4) Members appointed under subsection (2) must be appointed within 30 days of [the effective  
11 date of this act]. If a vacancy occurs, a new member must be selected in the same manner as the original  
12 appointment. The terms of the members expire June 30, 2025.

13 (5) The task force shall select a presiding officer and a vice presiding officer by majority vote. The  
14 presiding officer and the vice presiding officer must be legislative members.

15 (6) The legislative services division shall provide staff assistance to the task force. The legislative  
16 fiscal division and the judicial branch shall provide information on request.

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18 **NEW SECTION. Section 2. Task force duties.** (1) The task force shall study the current operation of  
19 child protective services to determine means by which the child protective services system in this state may be  
20 modified or improved to best serve children and families.

21 (2) The task force shall examine topics including but not limited to:

22 (a) the removal of children from homes;

23 (b) centralized intake reports and procedures;

24 (c) investigations of reports of abuse and neglect;

25 (d) the potential for family support to help prevent removal of children or expedite reunification;

26 (e) foster care;

27 (f) kinship care;

28 (g) the interaction of child protective services with the judicial system;

1 (h) department of health and human services policies and procedures;

2 (i) reunification of children with their families of origin; and

3 (j) topics related to the Indian Child Welfare Act.

4 (3) The task force shall involve input from the various stakeholders involved in child protective  
5 services activities and, to the extent possible, consult with outside experts about Montana's child protective  
6 services system and systems in other states.

7 (4) The task force may create subcommittees. Nonlegislative members may serve on a  
8 subcommittee. Unless an appointee is a full-time salaried officer or employee of the state or a political  
9 subdivision of the state, a nonlegislative member appointed to a subcommittee is entitled to salary and  
10 expenses to the same extent as a legislative member. If the appointee is a full-time salaried officer or employee  
11 of the state or of a political subdivision of the state, the appointee is entitled to reimbursement for travel  
12 expenses as provided in 2-18-501 through 2-18-503.

13 (5) The task force may appoint working groups to study specific topics or issues as directed by the  
14 task force. If appointed, the working group shall meet regularly and report to the task force as the task force  
15 requires. The working group may include representatives of stakeholders that are not members of the task  
16 force.

17 (6) The task force may meet no more than 12 days.

18 (7) All aspects of the task force, including reporting requirements, must be concluded prior to  
19 September 15, 2024. The task force shall prepare a final report of its findings, conclusions, and  
20 recommendations and prepare draft legislation. The task force shall submit the final report to the governor, the  
21 chief justice of the supreme court, and the 69th legislature.

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23 NEW SECTION. SECTION 3. NOTIFICATION TO TRIBAL GOVERNMENTS. THE SECRETARY OF STATE SHALL  
24 SEND A COPY OF [THIS ACT] TO EACH FEDERALLY RECOGNIZED TRIBAL GOVERNMENT IN MONTANA.

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26 NEW SECTION. Section 4. Contingent voidness. (1) Pursuant to Joint Rule 40-65, if [this act] does  
27 not include an appropriation prior to being transmitted to the governor, then [this act] is void.

28 (2) If the appropriation is vetoed, then [this act] is void.

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2           NEW SECTION. **Section 5. Effective date.** [This act] is effective on passage and approval.

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4           NEW SECTION. **Section 6. Termination.** [This act] terminates June 30, 2025.

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