

**S.9 - House Judiciary  
Week of April 13-17, 2015**

**Comparison of Senate “as passed” and House Human Services “strike all” amendment**

Sec.	House Human Services	Sec.	Senate “as passed”	Comments
1	Findings	1		HHS changed the order of the sections and added additional language, including subsection (b).
2	<p>AHS evidence-informed models</p> <p><u>The Secretary of Human Services shall identify and utilize evidence-informed models of serving families that prioritize child safety and prevention of child abuse and neglect through early interventions with high risk families that develop family strengths and reduce the impact of adverse childhood experiences.</u> The Secretary shall make recommendations in the FY2017 budget that reflect the utilization of these models.</p>	19	<p><u>The Secretary of Human Services shall identify and utilize evidence-informed models of serving families that prioritize safety and prevention through early interventions with high risk families.</u></p> <p><u>The Secretary shall make recommendations in the FY2017 budget that reflect the utilization of these models.</u></p>	Highlighted text was added by HHS.
3	Definitions in T.33, chapter 49	10		<p><u>Background:</u> Senate “as passed” modified the definitions of:</p> <ol style="list-style-type: none"> <li>1. abused or neglected child</li> <li>2. physical injury</li> <li>3. sexual abuse</li> <li>4. risk of harm</li> <li>5. added new definition of serious physical injury.</li> </ol> <p>HHS deleted 1-3, thereby retaining the existing statutory definitions of these terms, and modified the definitions of 4 &amp; 5.</p>

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3	<p>(14) “Risk of harm” means a significant danger that a child will suffer serious harm by other than accidental means, which harm would be likely to cause physical injury, <del>neglect, emotional maltreatment,</del> or sexual abuse, <u>including as the result of:</u></p> <p><u>(A) a single, egregious act that has caused the child to be at significant risk of serious physical injury;</u></p> <p><u>(B) the production or preproduction of methamphetamines when a child is actually present;</u></p> <p><u>(C) failing to provide supervision or care appropriate for the child’s age or development and as a result, the child is at significant risk of serious physical injury;</u></p> <p><u>(D) failing to provide supervision or care appropriate for the child’s age or development due to use of illegal substances, or misuse of prescription drugs or alcohol;</u></p> <p><u>(E) failing to supervise appropriately a child in a situation in which drugs, alcohol, or drug paraphernalia are accessible to the child; and</u></p> <p><u>(F) a registered sex offender or person</u></p>	10	<p>(14) “Risk of harm” means a significant danger that a child will suffer <del>serious harm by</del> other than accidental means, <del>which harm would be likely to cause</del> <u>serious</u> physical injury, neglect, <del>emotional maltreatment,</del> or sexual abuse, <u>including as the result of:</u></p> <p><u>(A) the production or preproduction of methamphetamines when a child is actually present;</u></p> <p><u>(B) leaving a child without developmentally appropriate supervision;</u></p> <p><u>(C) not providing developmentally appropriate supervision or care for a child due to use of illegal substances, or misuse of prescription drugs or alcohol;</u></p> <p><u>(D) failing to supervise appropriately a child in a situation in which drugs, alcohol, or drug paraphernalia are accessible to the child; and</u></p> <p><u>(E) a registered sex offender or person</u></p>	<p>(A) HHS added new language i.e. “single, egregious act.” <u>Issues:</u></p> <ul style="list-style-type: none"> <li>• what constitutes egregious?</li> <li>• “significant risk of serious physical injury”; see below.</li> </ul> <p>Language same.</p> <p>HHS added language i.e. child being placed at risk of serious physical injury.</p> <p>Language similar.</p> <p>Language same.</p> <p>Language same.</p>

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	<p><u>substantiated for sexually abusing a child residing with or spending unsupervised time with a child.</u></p> <p><u>(17) “Serious physical injury” means any intentional or malicious conduct that leaves a child with an injury or injuries that leave significant or permanent bodily damage or disfigurement, or both, or that leaves a child without the ability to perform normal functions of daily living.</u></p>		<p><u>substantiated for sexually abusing a child residing with or spending unsupervised time with a child.</u></p>	<p>See other document.</p>
4	<p>33 V.S.A. § 4913, reporting child abuse and neglect</p> <p>(a) [33 V.S.A. § 4913(a) concerns who is a mandatory reporter, what information they must report to DCF, and the time period to do so.]</p> <p><u>(b) (2) Upon request, the Commissioner shall provide relevant information contained in the case records concerning a person’s report to a person who:</u>  <u>(A) made the report under subsection (a) of this section; and</u>  <u>(B) is engaged in an ongoing working relationship with the child or family who is the subject of the report.</u>  <u>(3) [Civil penalty for re-disclosure].</u>  <u>(4) In providing information under subdivision (2) of this subsection, the Department may withhold information</u></p>	12	<p>(a) [Senate “as passed” did not amend.]</p> <p>(b) [Same as HHS version, except for highlighted language.]</p>	<p>(a) HHS version modifies existing law by removing “or cause a report to be made” within 24 hours. As a result, all mandatory reporters, such as teachers and medical personnel, will have to personally report to DCF. See Sec. 18 of bill, which also amends 33 V.S.A. § 4913(a).</p> <p>(b)(4) HHS version authorizes DCF to withhold information that could “threaten the emotional well-being of the child.”</p>

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	<p><u>that could:</u>  <u>(A) compromise the safety of the reporter or the child or family who is the subject of the report; or</u>  <u>(B) threaten the emotional well-being of the child.</u></p>			
5	<p>33 V.S.A. § 4921, confidentiality requirements of DCF case records</p> <p>(c) No change to existing law</p> <p>(d) No substantive change to existing law, except moves the Probate Division from (d) to (e)</p> <p>(e) Provides that relevant records shall be provided upon request to service providers, certain mandated reporters, certain educators, foster care givers, Family Court, Probate Court, and other governmental entities.</p>	13	<p>(c) Upon request, the redacted investigation file shall be disclosed to:            (1) the child’s parents, foster parent, or guardian, absent good cause shown by the Department, provided that the child’s parent, foster parent, or guardian is not the subject of the investigation; <del>and</del>            (2) the person alleged to have abused or neglected the child, as provided for in subsection 4916a(d) of this title; <del>and</del>  <u>(3) the parents of a child residing in a home with a person alleged to have abused or neglected a child.</u>            (d) <del>Upon request</del>, Department records created under this subchapter shall be disclosed to:            The Court, parties to the juvenile proceeding, GAL, investigator, law enforcement, State’s attorney or assistant attorney general.</p> <p>(e) same as HHS version except included provisions that Probate Division and Family Court could provide copies of records to the parties absent good cause shown. Also Senate version authorized other State agencies conducting related inquiries or to receive information under (e).</p>	<p>Sec. 5 provides that DCF shall disclose certain information to certain parties.</p> <p>HHS version removes (c)(3) of the Senate version, which entitled parents of children living in a home with a person alleged to have abused or neglected another child to receive certain information.</p> <p>HHS version (d) goes back to existing law, which includes a qualifier that information shall be disclosed under this section upon request.</p> <p>HHS version does not include provision that Court shall provide copies of the records for the parties to a proceeding absent good cause shown.</p>

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	<p>DCF makes the determination of what information is relevant, and DCF may withhold information that could: (A) compromise the safety of the reporter or the child or family who is the subject of the report; or  <b>(B) threaten the emotional well-being of the child.</b></p>		<p>Senate version limited the scope of information DCF could withhold to “information that could compromise the safety of the reporter or the child or family who is the subject of the report.”</p>	<p>HHS version authorizes DCF to withhold information that could “threaten the emotional well-being of the child.”</p>
6	<p>33 V.S.A. § 5110, conduct of hearings</p> <p>(b) The general public shall be excluded from hearings under the juvenile judicial proceedings chapters, and only the parties, their counsel, witnesses, persons accompanying a party for his or her assistance, and such other persons as the Court finds to have a proper interest in the case or in the work of the Court, including a foster parent or a representative of a residential program where the child resides, may be admitted by the Court. <u>An individual without party status seeking inclusion in the hearing may petition the Court for admittance by filing a request with the clerk of the Court.</u> This subsection shall not prohibit a victim’s exercise of his or her rights under sections 5233 and 5234 of this title, and as otherwise provided by law.</p>	14	[Same]	<p>Sec. 6 allows individuals without party status to petition for inclusion in a juvenile court hearing.</p>
7	<p>33 V.S.A. § 5302, emergency removal of a child from a home &amp; supporting affidavits.</p>	15	[Same]	<p>Sec. 7 allows a DCF social worker to prepare the affidavit in support of a request for an emergency care order when law enforcement removes a child from his or her home.</p>

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8	<p>33 V.S.A. § 5308, temporary care orders and the “custody hierarchy”</p> <p>(a) The Court shall order that legal custody be returned to the child’s custodial parent, guardian, or custodian unless the Court finds by a preponderance of the evidence that a return home would be contrary to <u>the best interests of the child’s welfare</u> <del>child</del> because any one of the following exists:</p> <p>(1) A return of legal custody could result in substantial danger to the physical health, mental health, welfare, or safety of the child.</p> <p>(2) The child or another child residing in the same household has been physically or sexually abused by a custodial parent, guardian, or custodian, or by a member of the child’s household, or another person known to the custodial parent, guardian, or custodian.</p> <p>(3) The child or another child residing in the same household is at substantial risk of physical or sexual abuse by a custodial parent, guardian, or custodian, or by a member of the child’s household, or another person known to the custodial parent, guardian, or custodian. It shall constitute prima facie evidence that a child is at substantial risk of being physically or sexually abused if:</p> <p>(A) a custodial parent, guardian, or custodian receives actual notice that a person has committed or is alleged to have committed physical or sexual abuse</p>	16	[Substantially the same]	HHS and Senate “as passed” versions substantially similar. Differences are highlighted below.

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	<p>against a child; and            (B) a custodial parent, guardian, or custodian knowingly or recklessly allows the child to be in the physical presence of the alleged abuser after receiving such notice.            (4) The custodial parent, guardian, or <del>guardian</del> custodian has abandoned the child.            (5) The child or another child in the same household has been neglected and there is substantial risk of harm to the child who is the subject of the petition.            (b) Upon a finding that <del>any of the conditions set forth in subsection (a) of this section exists</del> <u>a return home would be contrary to the best interests of the child</u>, the Court may issue such temporary orders related to the legal custody of the child as it deems necessary and sufficient <u>to protect the welfare and safety of the child</u>, including, <del>in order of preference:</del>            (1) <del>A</del> <u>a conditional custody order returning or granting legal custody of the child to the custodial parent, guardian, or custodian, noncustodial parent, relative, or a person with a significant relationship with the child</u>, subject to such conditions and limitations as the Court may deem necessary and sufficient <del>to protect the child;</del>            (2) <u>an order transferring temporary legal custody of the child to a noncustodial parent or to a relative;</u>            (3) <u>an order transferring temporary legal</u></p>			<p>HHS unstruck this language (which Senate “as passed” had removed).</p>

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	<p><u>custody of the child to a person with a significant relationship with the child; or</u>  <del>(4)</del> <u>an order transferring temporary legal custody of the child to the Commissioner.</u>  <del>(C)</del><u>(c) The Court shall consider orders and findings from other proceedings relating to the custody of the child, the child’s siblings, or children of any adult in the same household as the child.</u>  <u>(d) In considering the suitability of a relative under this subdivision (3) an order under subsection (b) of this section, the Court may order the Department to conduct an investigation of a person seeking custody of the child, and the suitability of that person’s home, and file a written report of its findings with the Court. The Court may place the child in the temporary custody of the Department Commissioner, pending such investigation.</u>  <u>(e) If the Court transfers legal custody of the child, the Court shall issue a written temporary care order.</u>  <u>(1) The order shall include:</u>  <u>(A) a finding that remaining in the home is contrary to the child’s welfare best interests of the child and the facts upon which that finding is based; and,</u>  <u>(B) a finding as to whether reasonable efforts were made to prevent unnecessary removal of the child from the home. If the Court lacks sufficient evidence to make findings on whether reasonable efforts were made to prevent</u></p>			

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	<p>the removal of the child from the home, that determination shall be made at the next scheduled hearing in the case but, in any event, no later than 60 days after the issuance of the initial order removing a child from the home.</p> <p>(2) The order may include other provisions as may be <del>necessary for the protection and welfare in the best interests of the child, such as</del> <u>including</u>:</p> <p>(A) <del>establishing parent-child contact under such and terms and conditions as are necessary for the protection of the child. and terms and conditions for that</del> <u>contact</u>;</p> <p>(B) requiring the Department to provide the child with services, if legal custody of the child has been transferred to the Commissioner;</p> <p>(C) requiring the Department to refer a parent for appropriate assessments and services, including a consideration of the needs of children and parents with disabilities, provided that the child’s needs are given primary consideration;</p> <p>(D) requiring genetic testing if parentage of the child is at issue;</p> <p>(E) requiring the Department to make diligent efforts to locate the noncustodial parent;</p> <p>(F) requiring the custodial parent to provide the Department with names of all potential noncustodial parents and relatives of the child; <u>and</u></p> <p>(G) establishing protective supervision and requiring the Department to make</p>			

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	<p>appropriate service referrals for the child and the family, if legal custody is transferred to an individual other than the Commissioner.</p> <p>(3) <b>If legal custody of a child is transferred to the Commissioner, the Commissioner shall provide the child with assistance and services.</b> In his or her discretion, the Commissioner may provide assistance and services to <u>other</u> children and families to the extent that funds permit, <del>notwithstanding subdivision (2)(B) of this subsection.</del></p>			<p>Clarifies that DCF must provide support to children in DCF custody, and may provide support to other children and families.</p>
9	<p>15A V.S.A. § 1-109</p> <p>When a decree of adoption becomes final, except as provided in Article 4 of this title <u>and 33 V.S.A. § 5124</u>, any order or agreement for visitation or communication with the minor shall be unenforceable.</p>	7		<p>Sec. 9 adds a reference in Title 15A to 33 V.S.A. § 5124, the postadoption contact agreement section created in Sec. 10 of the bill.</p>
10	<p>33 V.S.A. § 5124, postadoption contact agreements</p> <p>[Substantially the same as the Senate version, but reorganized and includes two additional best interest considerations.]</p>	8	<p>[Substantially the same]</p>	<p>Sec. 10 provides for enforceable postadoption contact agreements when certain criteria are met.</p> <p>The HHS version is reorganized to reflect the list of factors the court must consider prior to ordering postadoption contact. The HHS version adds two additional factors to the list of considerations to be made by the judge in determining if the best interests of the child will be served by the postadoption contact:</p> <p>1) the recommendation of any GAL involved in the proceeding and actively engaged with</p>

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				the child; and 2) the recommendation of a therapist or mental health care provider working directly with the child.
11	<p>15A V.S.A. § Art. 9, enforcement of postadoption contact agreements</p> <p>Removed provision from Senate “as passed” version that agreements may be modified by agreement of the parties and then filed with the Court.</p> <p>Reorganizes the language from the Senate version and clarifies that the adoptive parents may bring a petition to modify or terminate, and the former parents may bring an action to enforce an agreement.</p> <p>HHS version adds the emotional well-being of the adopted child to the list of factors for the judge to consider in the determination of best interests.</p>	9	<p><u>(a) A postadoption contact agreement may be modified or terminated by agreement of the parties. The parties shall file the modified postadoption contact agreement with the Court that finalized the adoption. The Court shall review the modified agreement pursuant to the requirements of 33 V.S.A. § 5124(b), and, if approved, shall issue an order modifying the agreement.</u></p> <p>(This language is not in H.H.S. version)</p>	Sec. 11 provides for the enforcement, modification, or termination of postadoption contact agreements created in Title 33 to occur in the Probate Division of the Family Court.
12	<p>33 V.S.A. § 152, access to records</p> <p>Grants DCF access to criminal conviction records for purposes of carrying out the Department’s child protection obligations under chapters 49-55 of Title 33.</p>	N/A	[Not in Senate “as passed” version]	This language came from requirement in DCF policy section that DCF conduct criminal background checks on household members when a child is returned to the home. (See Sec. 20(a)(7)(E)).

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13	<p>33 V.S.A. § 6911, access to records</p> <p>Authorizes Commissioner of DAIL to disclose Adult Protection Registry records to DCF for purposes of reviewing petitions for expungement from the child abuse registry.</p>	N/A	[Not in Senate “as passed” version]	DCF requested this language so it can access the Adult Protection Registry records when reviewing petitions for expungement from the child abuse registry.
14	<p>33 V.S.A. § 4916c, expungement from registry</p> <p>Provides that registered sex offenders are not eligible for expungement. Provides that the nature and number of substantiations may be the sole basis for denying a request for expungement from the registry.</p>	N/A	[Not in Senate “as passed” version]	DCF requested this language.
15	<p>24 V.S.A. § 1940, SIUs</p> <p>(a) Pursuant to the authority established under section 1938 of this title, and in collaboration with law enforcement agencies, investigative agencies, victims’ advocates, and social service providers, the Department of State’s Attorneys and Sheriffs shall coordinate efforts to provide access in each region of the <del>state</del> <u>State</u> to special investigative units <del>to investigate sex crimes, child abuse, domestic violence, or crimes against those with physical or developmental disabilities. The General Assembly intends that access to special investigative units be available to all Vermonters as soon as reasonably</del></p>	6	[Substantially the same]	<p>HHS and Senate “as passed” substantially the same.</p> <p>See below, HHS retains SIU jurisdiction over some of these types of crimes.</p>

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	<p>possible, but not later than July 1, 2009 which:</p> <p>(1) shall investigate:</p> <p>(A) <u>an incident in which a child suffers, by other than accidental means, serious bodily injury as defined in 13 V.S.A. § 1021; and</u></p> <p>(B) potential violations of:</p> <p>(i) <u>13 V.S.A. § 2602 (lewd or lascivious conduct with child);</u></p> <p>(ii) <u>13 V.S.A. chapter 60 (human trafficking);</u></p> <p>(iii) <u>13 V.S.A. chapter 64 (sexual exploitation of children); and</u></p> <p>(iv) <u>13 V.S.A. chapter 72 (sexual assault); and</u></p> <p>(2) may investigate:</p> <p>(A) <u>an incident in which a child suffers:</u></p> <p>(i) <u>bodily injury, by other than accidental means, as defined in 13 V.S.A. § 1021; or</u></p> <p>(ii) <u>death;</u></p> <p>(B) potential violations of:</p> <p>(i) <u>13 V.S.A. § 2601 (lewd and lascivious conduct);</u></p> <p>(ii) <u>13 V.S.A. § 2605 (voyeurism); and</u></p> <p>(iii) <u>13 V.S.A. § 1304 (cruelty to a child); and</u></p> <p><u>(C) an incident involving potential domestic violence or crimes against those with physical or developmental disabilities.</u></p>			<p>HHS eliminated reference to new crime of “failure to protect,” which HHS removed from bill.</p> <p>HHS added in (C), which retains jurisdiction over domestic violence and offenses against individuals with disabilities.</p> <p>Language concerning grants not included here, same in both HHS and Senate “as passed.”</p>

Sec.	House Human Services	Sec.	Senate “as passed”	Comments
16	Repeals 33 V.S.A. § 4915b(e), which sets forth what cases DCF must report to law enforcement.	N/A	[Not in Senate “as passed” version]	HHS version moves this language to 33 V.S.A. § 4915.
17	<p>33 V.S.A. § 4915, DCF referrals to law enforcement</p> <p><u>(g) The Department shall report to and receive assistance from law enforcement in the following circumstances:</u></p> <p><u>(1) investigations of child sexual abuse by an alleged perpetrator 10 years of age or older;</u></p> <p><u>(2) investigations of serious physical abuse or neglect requiring emergency medical care, resulting in death, or likely to result in criminal charges; and</u></p> <p><u>(3) situations potentially dangerous to the child or Department worker.</u></p> <p><u>(h) The Department shall report to the appropriate special investigations unit any valid allegation concerning an incident in which a child suffers, by other than accidental means:</u></p>	11		<p>Sets forth what DCF must report to law enforcement. Language largely conforms to Sec. 15 except for crimes that an SIU “may” investigate.</p> <p>(g) <u>Issues:</u></p> <ul style="list-style-type: none"> <li>• Requires law enforcement to provide assistance (formerly “request”)</li> <li>• DCF only required report sexual abuse if perpetrator over 10</li> <li>• What constitutes “sexual abuse” limited under current statutory definition in T.33, and may not include all sexual crimes</li> <li>• DCF and law enforcement may use different definitions of what constitutes sexual abuse</li> <li>• Definition of “serious physical injury” different from “serious bodily injury” (which law enforcement uses)</li> <li>• DCF only need report serious physical abuse if “requires” medical care or “likely” result in criminal charges.</li> </ul> <p>(h) <u>Issues:</u></p> <ul style="list-style-type: none"> <li>• DCF only required to report “valid allegations”</li> <li>• “Other accidental means” seems to</li> </ul>

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	<p><u>(1) serious bodily injury as defined in 13 V.S.A. § 1021; and</u>  <u>(2) potential violations of:</u>  <u>(A) 13 V.S.A. § 2602 (lewd or lascivious conduct with child);</u>  <u>(B) 13 V.S.A. chapter 60 (human trafficking);</u>  <u>(C) 13 V.S.A. chapter 64 (sexual exploitation of children); and</u>  <u>(D) 13 V.S.A. chapter 72 (sexual assault).</u></p>			<p>refer to all listed crimes (not just physical abuse).</p> <p>Senate “as passed” had language stating that DCF could refer cases that SIUs could (but not required to) investigate. HHS removed this language.</p>
18	<p>33 V.S.A. § 4913, reporting child abuse and neglect</p> <p>(f)(1) A person who violates subsection (a) of this section shall be fined not more than <del>\$500.00</del> <u>\$1,000.00</u>.</p> <p>(2) A person who violates subsection (a) of this section with the intent to conceal abuse or neglect of a child shall be imprisoned not more than <del>six months</del> <u>one year</u> or fined not more than <del>\$1,000.00</del> <u>\$2,000.00</u>, or both.</p>	N/A	[Not in Senate “as passed” version]	Increases the penalties for a mandated reporter who fails to report in accordance with 33 V.S.A. § 4913. See Sec. 4.
19	<p>13 V.S.A. § 3006 – neglect of duty</p> <p>A <del>state</del> <u>State</u>, county, town, village, fire district, or school district officer who <del>wilfully</del> <u>willfully</u> neglects to perform the duties imposed upon him or her by law, either express or implied, shall be imprisoned not more than one year or fined not more than <del>\$1,000.00</del> <u>\$2,000.00</u>, or both.</p>	N/A	[Not in Senate “as passed” version]	Increases the fine for a public officer who neglects to perform his or her duties.

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20	<p>13 V.S.A. § 1304 – cruelty to a child</p> <p>A person over <del>the age of</del> 16 years <del>of age,</del> having the custody, <del>charge</del> or care of a child <del>under 10 years of age,</del> who <del>wilfully</del> <u>willfully</u> assaults, <del>ill treats,</del> neglects, <del>or</del> abandons or <u>exposes</u> <del>such the</del> child, or causes <del>or procures such the</del> child to be assaulted, <del>ill treated,</del> neglected, abandoned, or <u>exposed</u>, in a manner to cause <del>such the</del> child unnecessary suffering, or to endanger his or her health, shall be imprisoned not more than two years or fined not more than <del>\$500.00</del> <u>\$2,000.00</u>, or both.</p>	2	<p>[Senate “as passed” version substantially the same, except Senate struck out word “expose”]</p>	<p>Senate version struck “expose.” HHS unstruck this word, and also increased the fine from \$500 to \$2,000.</p> <p><u>Issue:</u> What conduct does “expose” cover?</p>
21	<p>18 V.S.A. § 4236 – manufacture or cultivation of regulated drugs</p> <p>(a)(1) A person knowingly and unlawfully manufacturing or cultivating a regulated drug shall be imprisoned not more than 20 years or fined not more than \$1,000,000.00, or both.</p> <p><u>(2) A person who violates subdivision (1) of this subsection shall be imprisoned for not more than 30 years or fined not more than \$1,500,000.00, or both, if:</u></p> <p><u>(A) the regulated drug is methamphetamine; and</u></p> <p><u>(B) a child is actually present at the site of methamphetamine manufacture or attempted manufacture.</u></p> <p>(b) This section shall not apply to the cultivation of marijuana.</p>	4	<p>[Same language]</p>	

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22	DCF policies	18		
23	Legislative Oversight Committee	17		HHS and Senate “as passed” versions are substantially the same. HHS changed the “sunset” date from December 30, 2017, to June 1, 2018.
24	<p>CHINS working group</p> <p><u>(c) Powers and duties. The Working Group shall study and make recommendations concerning:</u></p> <p><u>(1) how to ensure that statutory time frames are met in 90 percent of proceedings;</u></p> <p><u>(2) how to ensure that attorneys, judges, and guardians ad litem appear on time and are prepared;</u></p> <p><u>(3) how to monitor and improve the performance and work quality of attorneys, judges, and guardians ad litem;</u></p> <p><u>(4) how to ensure that there is a sufficient number of attorneys available to handle all CHINS cases, in all regions of the State, in a timely manner;</u></p> <p><u>(5) the role of guardians ad litem, and how to ensure their information is presented to, and considered by, the court;</u></p> <p><u>(6) how to expedite a new proceeding that concerns a family with repeated contacts with the child protection system;</u></p> <p><u>(7) whether the adoption of American Bar Association standards for attorneys</u></p>	20		<p>HHS and Senate “as passed” substantially the same as to creation of working group (a), membership (b), assistance (d), report (e), and meetings and sunset (f).</p> <p>Powers and duties (c) also similar except for highlighted text. In (6) HHS eliminated language concerning increased monitoring and added (8) and (9).</p>

Sec.	House Human Services	Sec.	Senate “as passed”	Comments
	<p><u>who work in the area of child abuse and neglect would be appropriate;</u>  <u>(8) the feasibility of creating a statewide Family Drug Treatment Court initiative to improve substance abuse treatment and child welfare outcomes;</u>  <u>(9) whether requiring a reunification hearing would improve child welfare outcomes;</u>  <u>(10) how and whether to provide financial assistance to individuals seeking to mediate a dispute over a postadoption contact agreement; and</u>  <u>(11) any other issue the Working Group determines is relevant to improve the efficiency, timeliness, process, and results of CHINS proceedings.</u></p>			
25	Effective dates	21		
N/A	[Deleted by HHS]	3	[New crime of “failure to protect”]	
N/A	[Deleted by HHS]	5	[Report by Judiciary on the application of the new crime of “failure to protect”]	