

**Legislative
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**Joint Committee on
Ways and Means**

Sen. Betsy Johnson, Senate Co-Chair
Sen. Elizabeth Steiner Hayward, Senate Co-Chair
Rep. Dan Rayfield, House Co-Chair

Sen. Jackie Winters, Senate Co-Vice Chair
Rep. David Gomberg, House Co-Vice Chair
Rep. Greg Smith, House Co-Vice Chair

To: Public Safety Subcommittee

From: Meg Bushman Reinhold, Legislative Fiscal Office

Date: June 10, 2019

Subject: HB 2849 – Relating to protective custody of children
Work Session Recommendations

This bill restricts the circumstances under which a child may be placed into protective custody by a peace officer, counselor, employee of the Department of Human Services (DHS) or any other person authorized by the juvenile court, without a protective custody order from the court.

DHS will use its existing trainings for new and current staff to educate caseworkers and managers on the standards for removal, the process for obtaining protective custody orders and the new mechanisms for providing affidavits to the court. The provisions of this bill will result in statewide application of the tighter standard for removal, but should not result in a significant increase in requests for protective custody orders.

DHS will monitor the impact of this bill on the child welfare division and collect data on protective custody order requests. DHS may incur a fiscal impact if there are additional requests for AAG assistance, but also may see cost savings with fewer removals. The fiscal impact to DHS is indeterminate.

Any fiscal impact on the Department of Justice, as counsel to DHS, or on the Judicial Department is contingent on DHS actions in response to this bill.

Recommended Changes

LFO recommends adoption of the -A9 amendment.

MOTION: I move adoption of the -A9 amendment to HB 2849. (VOTE)

Final Subcommittee Action

LFO recommends that HB 2849, as amended by the -A9 amendment, to be moved to the Ways and Means Full Committee.

MOTION: I move HB 2849, as amended, to the Full Committee with a do pass recommendation. (VOTE)

Carriers

Full Committee: _____

House Floor: _____

Senate Floor: _____