

SENATE BILL NO. 278—SENATORS MATHEWS, RAWSON,
NEAL, CARLTON AND TITUS

MARCH 5, 2001

Referred to Committee on Finance

SUMMARY—Requires establishment of program to provide supportive assistance to certain persons who obtain legal guardianship of their grandchildren. (BDR 38-541)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to the welfare of children; requiring the establishment of a program to provide supportive assistance to certain persons who obtain the legal guardianship of their grandchildren; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 422 of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 and 3 of this act.
3 **Sec. 2. 1. *The department, through a division of the department***
4 *designated by the director, shall establish and administer a program to*
5 *provide supportive assistance to the grandparents of children placed in*
6 *the custody of the department pursuant to chapter 432B of NRS, who*
7 *obtain the legal guardianship of those children.*
8 **2. *As a condition to the provision of any supportive assistance***
9 *pursuant to this section:*
10 **(a) *The child must:***
11 **(1) *Have been placed in the care of his grandparent for not less***
12 *than 6 months; and*
13 **(2) *If he is 14 years of age or older, consent to the legal***
14 *guardianship;*
15 **(b) *The grandparent must:***
16 **(1) *Reside in this state;***
17 **(2) *Verify his legal relationship to the child; and***
18 **(3) *File for and obtain court approval of the legal guardianship and***
19 *comply with any requirements imposed by the court;*
20 **(c) *The department must determine that:***



- 1 (1) *The permanent placement of the child with his grandparent is in*
2 *the best interests of the child; and*
3 (2) *The personal and criminal history of the grandparent and the*
4 *safety of his home is satisfactory;*
5 (d) *The department and the grandparent must agree that the*
6 *grandparent can maintain a stable relationship with the child without*
7 *state supervision;*
8 (e) *There must be documented evidence of the reasonable efforts*
9 *required by subsection 1 of NRS 432B.393;*
10 (f) *Parental consent to the legal guardianship of the child must be*
11 *requested, but need not be obtained; and*
12 (g) *No parent of the child may reside in the same household as the*
13 *child.*
14 3. *The supportive assistance provided pursuant to this section must*
15 *include:*
16 (a) *Reimbursement of all or a portion of the legal fees incurred by the*
17 *grandparent to establish the legal guardianship;*
18 (b) *Payments equivalent in amount to the payments that the*
19 *department would provide to a foster parent if the child had been placed*
20 *in foster care;*
21 (c) *Assistance with:*
22 (1) *Child care;*
23 (2) *Respite care;*
24 (3) *Transportation; and*
25 (4) *Child health care; and*
26 (d) *Any other assistance the department deems appropriate.*
27 4. *The department shall adopt such regulations as are necessary to*
28 *carry out the provisions of this section.*
29 **Sec. 3.** *1. An applicant for the receipt of supportive assistance*
30 *provided pursuant to section 2 of this act shall submit to the department a*
31 *complete set of his fingerprints and written permission authorizing the*
32 *department to forward those fingerprints to the central repository for*
33 *Nevada records of criminal history for submission to the Federal Bureau*
34 *of Investigation for its report to enable the department to determine*
35 *whether the criminal history of the applicant is satisfactory.*
36 2. *The department may exchange with the central repository or the*
37 *Federal Bureau of Investigation any information respecting the*
38 *fingerprints submitted.*
39 3. *When a report from the Federal Bureau of Investigation is*
40 *received by the central repository, it shall immediately forward a copy of*
41 *the report to the department.*
42 **Sec. 4.** NRS 422.240 is hereby amended to read as follows:
43 422.240 1. Money to carry out the provisions of NRS 422.001 to
44 422.410, inclusive, *and sections 2 and 3 of this act* and NRS 422.580,
45 including, without limitation, any federal money allotted to the State of
46 Nevada pursuant to the program to provide temporary assistance for needy
47 families and the program for child care and development, must be provided
48 by appropriation by the legislature from the state general fund.



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1 2. Disbursements for the purposes of NRS 422.001 to 422.410,
2 inclusive, *and sections 2 and 3 of this act* and *NRS* 422.580 must be made
3 upon claims duly filed, audited and allowed in the same manner as other
4 money in the state treasury is disbursed.
5 **Sec. 5.** This act becomes effective on July 1, 2001.

