

SENATE BILL 328

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY

Michael Padilla

This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO CHILDREN; EXPANDING ELIGIBILITY FOR THE FOSTERING CONNECTIONS PROGRAM.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 32A-26-3 NMSA 1978 (being Laws 2019, Chapter 149, Section 3, as amended) is amended to read:

"32A-26-3. FOSTERING CONNECTIONS PROGRAM--ELIGIBILITY.--

A. The "fostering connections program" is

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established in the department. The department shall make the fostering connections program available, on a voluntary basis, to an eligible adult who:

(1) has attained at least eighteen years of age and who is younger than:

(a) as of July 1, 2020, nineteen years of age;

(b) as of July 1, 2021, twenty years of age; and

(c) after July 1, 2022, twenty-one years of age;

(2) meets SHPAC ~~one~~ SHPAC SHPAC ~~one~~ SHPAC SHPAC ~~all~~ SHPAC of the following criteria:

(a) has attained at least eighteen years of age SHPAC ~~and~~ SHPAC SHPAC ~~while~~ SHPAC : 1)

SHPAC ~~was~~ SHPAC [adjudicated] in the legal custody of the department SHPAC ~~or any other state's foster care system~~ SHPAC as a result of abuse and neglect proceedings, families in need of court-ordered services proceedings or a voluntary placement agreement pursuant to the Children's Code or its equivalent under tribal law; 2) SHPAC ~~was~~ SHPAC subject to a court order or voluntary placement agreement that placement and care be the responsibility of the department or the Indian tribe that entered into an agreement with the department; and 3)

SHPAC ~~was~~ SHPAC subject to [an] out-of-home placement; [order;

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SHPAC→]←SHPAC SHPAC→or]←SHPAC SHPAC→or←SHPAC

SHPAC→and←SHPAC

(b) attained at least fourteen years of age when a guardianship assistance agreement or adoption assistance agreement was in effect and whose guardianship assistance agreement or adoption assistance agreement was terminated or the guardian or parents are no longer willing to provide emotional or financial support after the child attained eighteen years of age;

(3) is:

(a) completing secondary education or an educational program leading to an equivalent credential;

(b) enrolled in an institution that provides post-secondary or vocational education;

(c) employed for at least eighty hours per month;

(d) participating in a program or activity designed to promote employment or remove barriers to employment; or

(e) incapable of doing any of the activities described in Subparagraphs (a) through (d) of this paragraph due to a medical or behavioral condition that is supported by regularly updated information in the transition plan; and

(4) enters into a voluntary services and

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support agreement with the department pursuant to the Fostering Connections Act.

B. The citizenship or immigration status of a young adult shall not be a factor when determining the young adult's eligibility pursuant to this section."

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