

1 SENATE BILL 328

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Michael Padilla

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9  
10 AN ACT

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

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

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

17 "32A-26-3. FOSTERING CONNECTIONS PROGRAM--ELIGIBILITY.--

18 A. The "fostering connections program" is  
19 established in the department. The department shall make the  
20 fostering connections program available, on a voluntary basis,  
21 to an eligible adult who:

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

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

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

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

5 (2) meets ~~[one]~~ all of the following criteria:

6 (a) has attained at least eighteen years  
7 of age and: 1) was ~~[adjudicated]~~ in the legal custody of the  
8 department or any other state's foster care system as a result  
9 of abuse and neglect proceedings, families in need of court-  
10 ordered services proceedings or a voluntary placement agreement  
11 pursuant to the Children's Code or its equivalent under tribal  
12 law; 2) was subject to a court order or voluntary placement  
13 agreement that placement and care be the responsibility of the  
14 department or the Indian tribe that entered into an agreement  
15 with the department; and 3) was subject to ~~[an]~~ out-of-home  
16 placement; ~~[order; or]~~ and

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

24 (3) is:

25 (a) completing secondary education or an

1 educational program leading to an equivalent credential;

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

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

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

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

14 (4) enters into a voluntary services and  
15 support agreement with the department pursuant to the Fostering  
16 Connections Act.

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