

**PROPOSED AMENDMENTS TO
HOUSE BILL 2889**

1 On page 1 of the printed bill, delete lines 15 through 20 and insert:

2 “(2)(a) Except as provided in subsection (7) of this section, the Depart-
3 ment of Human Services, a child-caring agency licensed by the department
4 under ORS 418.215 to provide care or services to a child in foster care and
5 a person certified to maintain a foster home under ORS 418.625 to 418.645
6 shall, in accordance with rules adopted by the department, ensure that a
7 child, upon reaching 12 years of age, for whom the department, agency or
8 foster home has provided care or services for a minimum of six consecutive
9 months:

10 “(A) Is entitled to, upon request, establish a savings account at a finan-
11 cial institution as defined in ORS 706.008; and

12 “(B) Receives appropriate assistance to establish the savings account.

13 “(b) Nothing in this subsection authorizes the department, agency or fos-
14 ter parent to require that a financial institution establish an account for a
15 child.”.

16 In line 21, after “law” insert “and except as provided in subsections (6)
17 and (7) of this section”.

18 On page 2, delete lines 2 through 7 and insert:

19 “(5) Except as provided in subsections (6) and (7) of this section, the
20 parent, guardian, foster parent or other person having legal custody of the
21 child shall not be entitled to be an account holder on a savings account
22 created under this section, or to have access to information about or moneys

1 in the account, without the written authorization of the child who estab-
2 lished the account. The child's signature on account documents that make
3 the parent, guardian, foster parent or other person having legal custody of
4 the child an account holder on the account or that grant the parent, guard-
5 ian, foster parent or other person having legal custody of the child the right
6 to have access to information about or moneys in the account, constitutes
7 written authorization as required by this subsection. A financial institution
8 may rely on, and is not required to inquire about or investigate the circum-
9 stances surrounding, the child's signature on account documents to authorize
10 access to information about and moneys in the child's account.

11 “(6) The Department of Human Services is entitled to monitor use of
12 moneys in a child's account established under this section when required to
13 ensure continuation of receipt of state and federal benefits received by or
14 on behalf of the child. The department shall adopt rules setting forth meth-
15 ods by which the department may monitor use of moneys in a child's account
16 for this purpose.

17 “(7) The Department of Human Services shall encourage a child who is
18 otherwise subject to the provisions of this section and who has been deter-
19 mined by the department to be eligible for services for persons with intel-
20 lectual or other developmental disabilities to establish a savings account
21 under this section, unless the department determines it is not in the child's
22 best interests to establish such an account.”

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