

Enrolled Senate Bill 202

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CHAPTER

AN ACT

Relating to voluntary placement of young adults who have attained 18 years of age; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) As used in this section, “young adult” means an unmarried person who is at least 18 years of age but less than 21 years of age.

(2)(a) The Department of Human Services shall develop and administer a voluntary placement program to support a young adult who was previously in the care and custody of the department to transition into adulthood. The program may provide a young adult with financial support, a stable living situation and other supports the department determines necessary.

(b) A young adult may participate in the program if the young adult is not in the legal custody of the department, is not a ward, as defined in ORS 419A.004, and:

(A) Was placed in a substitute care placement while in the legal custody of the department for at least one day when the young adult was at least 16 years of age but less than 18 years of age; or

(B) Was in placement pursuant to a voluntary placement agreement under ORS 418.312 for at least one day during the 12 months immediately preceding the date the young adult attained 18 years of age.

(3) The department shall make determinations regarding admission of a young adult to the voluntary placement program on a case-by-case basis, taking into consideration, at a minimum:

(a) Whether the young adult is ready to transition from protective services to supportive services; and

(b) Whether, based on the young adult’s specific circumstances, participation in the voluntary placement program is in the young adult’s best interests.

(4)(a) A young adult accepted to participate in the program shall enter into a voluntary placement agreement with the department.

(b) The voluntary placement agreement must describe the roles and responsibilities of the young adult and the department and clearly describe how the voluntary placement agreement may be terminated, including upon the young adult’s attaining 21 years of age, upon the young adult’s written request to terminate the agreement and involuntary termination due to the young adult’s noncompliance with the program conditions.

(5) When a young adult is in a placement pursuant to a voluntary placement agreement under this section, the department is responsible for the young adult's placement and care but the young adult is not in the legal custody of the department.

(6)(a) If a young adult remains or will remain in voluntary placement for more than 180 days, the juvenile court shall make a judicial determination regarding whether the placement is in the best interests of the young adult.

(b) If a young adult remains in voluntary placement for more than 12 months, the juvenile court shall hold a permanency hearing as provided in ORS 419B.476 no later than 14 months after the young adult's original voluntary placement, and not less frequently than once every 12 months thereafter during the continuation of the young adult's original voluntary placement, to determine the future status of the young adult.

(7) The department shall adopt rules to carry out the provisions of this section.

SECTION 2. (1) Section 1 of this 2023 Act becomes operative on January 1, 2024.

(2) The Department of Human Services may adopt rules and take any other action before the operative date specified in subsection (1) of this section that is necessary to enable the department, on and after the operative date specified in subsection (1) of this section, to undertake and exercise all of the duties, functions and powers conferred on the department by section 1 of this 2023 Act.

SECTION 3. This 2023 Act takes effect on the 91st day after the date on which the 2023 regular session of the Eighty-second Legislative Assembly adjourns sine die.

Passed by Senate March 7, 2023

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Lori L. Brocker, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House May 11, 2023

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Dan Rayfield, Speaker of House

Received by Governor:

.....M,....., 2023

Approved:

.....M,....., 2023

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M,....., 2023

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Secretary of State