

A-Engrossed
Senate Bill 202

Ordered by the Senate March 3
Including Senate Amendments dated March 3

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Kate Brown for Department of Human Services)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Directs Department of Human Services to develop and administer voluntary placement program to provide supports to certain young adults as they transition to adulthood.
Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to voluntary placement of young adults who have attained 18 years of age; and prescribing
3 an effective date.

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

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

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

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

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

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

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

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

25 **(b) Whether, based on the young adult's specific circumstances, participation in the vol-**
26 **untary placement program is in the young adult's best interests.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

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

3 **(b) The voluntary placement agreement must describe the roles and responsibilities of**
4 **the young adult and the department and clearly describe how the voluntary placement**
5 **agreement may be terminated, including upon the young adult's attaining 21 years of age,**
6 **upon the young adult's written request to terminate the agreement and involuntary termi-**
7 **nation due to the young adult's noncompliance with the program conditions.**

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

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

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

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

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

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

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

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