

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1639

5 By: Representative McCollum
6 By: Senator C. Penzo
7

For An Act To Be Entitled

9 AN ACT TO CREATE THE BEST INTEREST ARKANSAS CHILDREN
10 ACT OF 2023; TO AMEND THE LAW CONCERNING THE BEST
11 INTEREST STANDARD IN DEPENDENCY-NEGLECT CASES; AND
12 FOR OTHER PURPOSES.
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Subtitle

15 TO CREATE THE BEST INTEREST ARKANSAS
16 CHILDREN ACT OF 2023; AND TO AMEND THE
17 LAW CONCERNING THE BEST INTEREST STANDARD
18 IN DEPENDENCY-NEGLECT CASES.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. DO NOT CODIFY. Title.

25 This act shall be known and may be cited as the "Best Interest Arkansas
26 Children Act of 2023".
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28 SECTION 2. DO NOT CODIFY. Legislative findings and intent.

29 (a) The General Assembly finds that:

30 (1) The State of Arkansas has an interest in:

31 (A) Preserving family integrity;

32 (B) Protecting children;

33 (C) Ensuring timely permanency decisions are made in
34 foster care cases; and

35 (D) Guiding children to become self-sufficient adults;

36 (2) Establishing specific guiding principles for the best



1 interest of a child through statute can help the State of Arkansas achieve
 2 its goals for Arkansas children and families; and

3 (3) The State of Arkansas has an obligation to ensure the best
 4 interest of a child is clearly defined and adhered to.

5 (b) Therefore, the General Assembly declares that the State of
 6 Arkansas, in passing this act, intends to statutorily define guiding
 7 principles for the best interest of a child.

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 9 SECTION 3. Arkansas Code § 9-28-104, concerning the best interest
 10 standard applicable in a juvenile court proceeding, is amended to add
 11 additional subsections to read as follows:

12 (c) When determining the best interest of a child, the department and
 13 the juvenile court having proper jurisdiction over a child in a dependency-
 14 neglect case shall give precedence to the importance of:

15 (1) Family integrity and the general preference for avoiding the
 16 removal of the child from his or her home;

17 (2) The health, safety, and protection of the child;

18 (3) Timely permanency decisions;

19 (4) The availability of a relative caregiver; and

20 (5) The goal of the child to become a self-sufficient adult.

21 (d) The department may promulgate rules to implement subsection (c) of
 22 this section.

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