

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

SB23-039 be amended as follows:

1 Amend the Judiciary Committee Report, dated February 13, 2023, page  
2 1, line 7, strike "HEARINGS.". and insert "HEARINGS. IF A PARENT FAILS TO  
3 APPEAR, THE COURT SHALL MAKE FINDINGS ABOUT THE REASON FOR THE  
4 ABSENCE AND MAKE A RECORD REGARDING THE ABSENCE. NOTHING IN  
5 THIS SECTION PROHIBITS THE COURT FROM PROCEEDING IF A RESPONDENT  
6 FAILS TO APPEAR.". ".

7 Page 2 of the report, strike line 2 and substitute:

8 "Page 7 of the bill, strike line 27 and substitute "BETWEEN THE CHILD AND  
9 PARENT. IF IN-PERSON FAMILY TIME IS NOT REASONABLY PRACTICABLE,  
10 THE CASEWORKER SHALL COMMUNICATE WITH THE FACILITY OR JAIL  
11 REGARDING THE FACILITY'S OR JAIL'S ABILITY TO FACILITATE FAMILY TIME  
12 BETWEEN THE CHILD AND PARENT THROUGH AUDIO-VISUAL  
13 COMMUNICATION TECHNOLOGY AND ARRANGE FOR AVAILABLE VIRTUAL  
14 FAMILY TIME.". "

15 Page 8 of the bill, strike lines 1 through 4.".

16 Page 2 of the report, strike lines 6 through 10 and substitute:

17 "Page 8 of the bill, line 14, before "**add**" insert "**amend** (1)(e)(I); and".

18 Page 8 of the bill, line 15, strike "(1)(e)(III), (1)(e)(IV)," and substitute  
19 "(1)(e)(III)".

20 Page 9 of the bill, strike lines 16 through 27 and substitute:

21        "(e) (I) Except where the proposed disposition is termination of  
22 the parent-child legal relationship, THE CASEWORKER ASSIGNED TO THE  
23 CASE SHALL SUBMIT AN APPROPRIATE TREATMENT PLAN AND the court  
24 shall approve an appropriate treatment plan involving the child named  
25 and each respondent named and served in the action. If A CHILD'S PARENT  
26 IS INCARCERATED IN A DEPARTMENT OF CORRECTIONS FACILITY, A  
27 PRIVATE CORRECTIONAL FACILITY UNDER CONTRACT WITH THE  
28 DEPARTMENT OF CORRECTIONS, OR A JAIL, THE CASEWORKER ASSIGNED TO  
29 THE CASE, UPON KNOWLEDGE OF THE INCARCERATION, SHALL INCLUDE  
30 INFORMATION IN THE REPORT THAT DETAILS THE SERVICES AND  
31 TREATMENT AVAILABLE TO A PARENT AT THE FACILITY OR JAIL WHERE THE  
32 PARENT IS INCARCERATED OR THE CASEWORKER'S EFFORTS TO OBTAIN  
33 THAT INFORMATION. THE COUNTY DEPARTMENT SHALL COMMUNICATE

1 WITH THE FACILITY OR JAIL WHERE THE PARENT IS INCARCERATED  
2 REGARDING THE REQUIREMENTS OF THE COURT-ORDERED TREATMENT  
3 PLAN. However, the court may find that an appropriate treatment plan  
4 cannot be devised as to a particular respondent because the child has been  
5 abandoned as set forth in section 19-3-604 (1)(a) and the parents cannot  
6 be located, or because the child has been adjudicated as neglected or  
7 dependent based upon section 19-3-102 (2), or due to the unfitness of the  
8 parents as set forth in section 19-3-604 (1)(b). When the court finds that  
9 an appropriate treatment plan cannot be devised, the court shall conduct  
10 a permanency hearing as set forth in section 19-3-702 (1), unless a motion  
11 for termination of parental rights has been filed within thirty days after  
12 the court's finding.".

13 Page 10 of the bill, strike lines 1 through 13.

14 Page 10 of the bill, line 14, strike "(IV)" and substitute "(III)".

15 Page 2 of the report, strike lines 11 through 13 and substitute:

16 "Page 10 of the bill, strike lines 19 through 27 and substitute "CASE, UPON  
17 KNOWLEDGE OF INCARCERATION, SHALL PROVIDE INFORMATION THAT  
18 DETAILS THE SERVICES AND TREATMENT AVAILABLE TO A PARENT AT THE  
19 FACILITY OR JAIL WHERE THE PARENT IS INCARCERATED OR THE  
20 CASEWORKER'S EFFORTS TO OBTAIN THE INFORMATION AT THE NEXT  
21 SCHEDULED COURT HEARING.".

22 Strike page 11 of the bill.

23 Page 12 of the bill, strike lines 1 through 15.".

24 Page 2 of the report, strike lines 14 and 15 and substitute:

25 "Page 12 of the bill, line 17, strike "(1)(b)(III); and **add** (1.5)" and  
26 substitute "(1)(b)(III)".

27 Page 13 of the bill, strike lines 9 through 20.".

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