



AN ACT CREATING AN INTERIM REVIEW TO MODIFY AND IMPROVE CHILD PROTECTIVE SERVICES; PROVIDING FOR A WORK GROUP TO ASSIST IN THE REVIEW; SPECIFYING WORK GROUP MEMBERS AND DUTIES; PROVIDING FOR REPORTS; PROVIDING AN APPROPRIATION; PROVIDING FOR CONTINGENT VOIDNESS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1. Interim review of child protective services -- work group.** (1) The children, families, health, and human services interim committee shall, with the assistance of a work group, review child protective services as provided in [section 2] during the 2023-2024 interim.

- (2) (a) The work group must be composed of the following members:
- (i) at least two committee members, one from each political party as selected by the presiding officer of the committee;
  - (ii) the director of the department of public health and human services or a designee of the director;
  - (iii) a county attorney or a designee of a county attorney;
  - (iv) a district court judge;
  - (v) the director of the office of state public defender or a designee of the director;
  - (vi) the Indian child welfare specialist appointed by the director of the department of public health and human services under 52-2-117;
  - (vii) a member of the public having experience with the dependency and neglect court system; and
  - (viii) a member of law enforcement.
- (b) The presiding officer of the committee shall appoint the nonlegislative members provided for

under subsection (2)(a)(iii), (2)(a)(iv), (2)(a)(vii), and (2)(a)(viii) based on recommendations from associations representing those entities. Appointees should have experience with child abuse and neglect investigations and proceedings.

(3) (a) A nonlegislative member of the task force who is not a full-time salaried officer or employee of the state or a political subdivision of the state is entitled to salary and expenses to the same extent as a legislative member.

(b) A member of the task force who is a full-time salaried officer or employee of the state or a political subdivision of the state is entitled to reimbursement for travel expenses as provided in 2-18-501 through 2-18-503.

**Section 2. Interim committee and work group duties.** (1) The children, families, health, and human services interim committee and the work group provided for in [section 1] shall study the current operation of child protective services to determine means by which the child protective services system in this state may be modified or improved to best serve children and families.

(2) The work group shall examine and report to the interim committee on topics including but not limited to:

- (a) the removal of children from homes;
- (b) centralized intake reports and procedures;
- (c) investigations of reports of abuse and neglect;
- (d) the potential for family support to help prevent removal of children or expedite reunification;
- (e) foster care;
- (f) kinship care;
- (g) the interaction of child protective services with the judicial system;
- (h) department of health and human services policies and procedures;
- (i) reunification of children with their families of origin; and
- (j) topics related to the Indian Child Welfare Act.

(3) The review must involve input from the various stakeholders involved in child protective services activities and, to the extent possible, include consultation with outside experts about Montana's child

protective services system and systems in other states.

(4) The work group may, subject to available funding, meet, as needed to carry out the purposes of this section. Meetings may be held in person or by electronic means.

(5) All aspects of the review of child protective services, including reporting requirements, must be concluded prior to September 15, 2024. The interim committee shall prepare a final report of its findings, conclusions, and recommendations and prepare draft legislation. The committee shall submit the final report to the governor, the chief justice of the supreme court, and the 69th legislature.

**Section 3. Notification to tribal governments.** The secretary of state shall send a copy of [this act] to each federally recognized tribal government in Montana.

**Section 4. Appropriation.** There is appropriated \$15,000 from the general fund to the legislative services division for the biennium beginning July 1, 2023, for the work group provided for in [section 1] to carry out the activities required under [section 2].

**Section 5. Contingent voidness.** (1) Pursuant to Joint Rule 40-65, if [this act] does not include an appropriation prior to being transmitted to the governor, then [this act] is void.

(2) If the appropriation is vetoed, then [this act] is void.

**Section 6. Effective dates.** (1) Except as provided in subsection (2), [this act] is effective on passage and approval.

(2) [Section 4] is effective July 1, 2023.

**Section 7. Termination.** [This act] terminates June 30, 2025.

- END -

I hereby certify that the within bill,  
SB 352, originated in the Senate.

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Secretary of the Senate

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2023.

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2023.

SENATE BILL NO. 352

INTRODUCED BY D. LENZ

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