

House Bill 268

In The House

January 16, 1981

Introduced and referred
to Committee on Human
Services.

January 30, 1981

Committee recommend bill
do not pass.

1 HOUSE BILL NO. 268
2 INTRODUCED BY *N. H. Velt* *Demmond* *Linette* *Dover*

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW LICENSING OF
5 BOARDING AND FOSTER HOMES FOR CHILDREN BY THE DEPARTMENT OF
6 INSTITUTIONS AS WELL AS THE DEPARTMENT OF SOCIAL AND
7 REHABILITATION SERVICES; AMENDING SECTIONS 41-3-502 AND
8 41-3-503, MCA."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 41-3-502, MCA, is amended to read:
12 "41-3-502. License required. No person shall maintain
13 or operate a foster or boarding home for any child or
14 children within the meaning of this chapter without first
15 securing a license in writing from the department of social
16 and rehabilitation services or the department of
17 institutions. The foster or boarding home may apply to the
18 agency of its choice for licensure. No fee shall be charged
19 for such license."

20 Section 2. Section 41-3-503, MCA, is amended to read:
21 "41-3-503. Issuance of license -- authority of issuing
22 agency. The department of social and rehabilitation services
23 ~~is~~ and the department of institutions are hereby authorized
24 to issue licenses to persons conducting boarding or foster
25 homes and to prescribe the conditions upon which such

1 licenses shall be issued and to make such rules as it may
2 deem ~~consider~~ advisable for the operation and regulation of
3 foster and boarding homes for minor children consistent with
4 the welfare of such children. Such licensing agency shall
5 have the power and authority to inspect all such licensed
6 foster and boarding homes through its duly authorized
7 representatives and to cancel licenses theretofore issued
8 for the failure to observe such rules. The person operating
9 such homes shall give to such representative such
10 information as may be required and afford him every
11 reasonable facility for observing the operation of such
12 homes. ~~The licensing agency may not prescribe the~~
13 ~~child-raising philosophy to be used by any foster home or~~
14 ~~private institution. The licensing agency may require the~~
15 ~~operator of the foster home or private institution to state~~
16 ~~in writing his purposes, goals, and child-rearing practices~~
17 ~~prior to issuance of the license. The rules promulgated by~~
18 ~~an agency apply only to foster homes or private institutions~~
19 ~~licensed by that agency."~~

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