

SENATE BILL NO. 217

INTRODUCED BY

*Doherty*

BY REQUEST OF THE DEPARTMENT OF FAMILY SERVICES

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE QUALIFICATIONS FOR THE INDIAN CHILD WELFARE SPECIALIST TO ALLOW APPOINTMENT OF A QUALIFIED PERSON; REQUIRING NOTIFICATION OF TRIBAL GOVERNMENTS; AMENDING SECTION 52-2-117, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 52-2-117, MCA, is amended to read:

"52-2-117. Indian child welfare specialist. (1) The director of the department shall appoint a qualified ~~employee of the department~~ person to act as an Indian child welfare specialist.

(2) The duties of the specialist include:

~~(1)~~(a) developing Indian foster homes and other Indian placement resources;

~~(2)~~(b) providing technical advice to tribal, state, and county agencies and district courts on matters pertaining to Indian child welfare;

~~(3)~~(c) providing assistance in negotiating cooperative agreements to provide foster care services to Indian children;

~~(4)~~(d) conducting training seminars on implementing the Indian Child Welfare Act of 1978 (25 U.S.C. 1901, et seq.);

~~(5)~~(e) applying for and accepting grants and other funds for Indian child welfare activities;

~~(6)~~(f) developing and maintaining a list of attorneys to represent indigent parents and Indian custodians in Indian child welfare proceedings;

~~(7)~~(g) making recommendations to the department on legislation and rules concerning Indian child welfare matters; and

~~(8)~~(h) performing other duties concerning Indian child welfare matters as determined by the director."

1            NEW SECTION. **Section 2. Notification of tribal governments.** The secretary of state shall send  
2 a copy of [this act] to the tribal chairperson of each of the seven Montana reservations and to the tribal  
3 chairperson of the Little Shell tribe.

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5            NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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