



## || SENATE OF PENNSYLVANIA BILL SUMMARY

### House Bill 1691 Printer's No. 2537

Prime Sponsor: Representative Marsico  
Committee: Judiciary

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#### **SYNOPSIS:**

This bill amends Title 23 (Domestic Relations) and Title 42 (Judiciary and Judicial Procedure) to require reporting of children who are victims of sex trafficking and to provide further guidelines for dependency proceedings.

#### **SUMMARY:**

*Background.* The federal Preventing Sex Trafficking and Strengthening Families Act was enacted in 2014. The Act requires the States to develop methods to identify and document victims of sex trafficking and those who are at risk of becoming victims. With regard to children in foster care, the Act imposes a "reasonable and prudent parent" standard to govern whether a foster child may participate in an extracurricular or social activity. The Act imposes certain requirements for foster children who have a permanency goal involving "another planned permanent living arrangement" (APPLA).

*Reporting of Trafficking Victims.* This bill amends Title 23 to require that a county children and youth agency shall report to law enforcement and to the National Center for Missing and Exploited Children ("NCMEC") as soon as is practicable but in any event no longer than 24 hours after receiving information about a child (1) who is a victim of sex trafficking, (2) who is at risk of sex trafficking, or who is missing from the child's residence or is abducted. The county agency must annually report to the Department of Human Services and to NCMEC the total number of children who are sex trafficking victims. The bill requires law enforcement agencies to enter information about missing or abducted children into the National Crime Information Center database.

*Permanency Hearings.* The bill requires that certain information be considered when a child seeks independence from a caregiver or foster care placement during a permanency proceeding. The court must discuss with the child the child's permanency goals and the services needed to assist a child who is 14 years of age or older to make the transition to successful adulthood. If the child remains in foster care, the court must determine whether the child has the opportunity to participate in regular, ongoing activities that are age-appropriate or developmentally appropriate. The "reasonable and prudent parent" standard applies. The terms "age-appropriate" and "developmentally appropriate" are defined in the bill.

With regard to children who are 16 or 17 years of age, a court placing the child in "another planned permanent living arrangement" must make certain determinations, such as the desired permanency

goal of the child and whether APPLA is the best permanency plan for that child. The court must also provide compelling reasons why it is not in the child's best interests to return home, be adopted, or be placed with a legal guardian or a relative.

**Amendment A04908**

During the consideration of APPLA for children of ages 16 or 17, the amendment would require the county agency to identify at least one significant connection with a supportive adult willing to be involved in the child's life or document that efforts have been made to identify a supportive adult. The court must recognize this information about a significant connection in its ruling.

The amendment also requires the Department of Human Services to study and make recommendations regarding the elimination or reduction of APPLA, the use of other permanency goal options for children, and the outcomes expected for children when APPLA is reduced or eliminated as an option.

Effective Date: This bill is effective immediately or on January 1, 2016, whichever is later.

**BILL HISTORY:**

The House of Representatives passed this bill on November 23, 2015 by a vote of 196-0.

Prepared by: Cawley 12/8/2015