

HOUSE No. 111

The Commonwealth of Massachusetts

PETITION OF:

John A. Lepper
Jeffrey Davis Perry
Gale D. Candaras
Douglas W. Petersen
Daniel K. Webster

Elizabeth A. Poirier
Richard J. Ross

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO THE PRESERVATION OF FAMILIES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 10 of the General Laws is hereby amended by inserting after Section 35N the following section: -

Section 35O. There shall be set up on the books of the Commonwealth a separate fund to be known as the Family Preservation Trust Fund, to be administered by the Executive Office of Health and Human Services, for the purposes of keeping children who cannot live with their parents, together with their relatives and to prevent alternative foster care placements. Said fund shall consist of all monies appropriated therefor in each fiscal year and any additional sums which they may receive from other state, federal or private sources.

The Secretary of Health and Human Services shall direct the Commissioner of the Department of Transitional Assistance to develop a plan to obtain funds for said fund and shall consult with the Department of Revenue in regard to any available funds collected by said Department including a portion of child support retained revenue, which shall be collected from the parents of children being raised by their relatives and how they may be directed to such funds.

SECTION 2. Chapter 118 of the General Laws is amended by inserting after section 9 the following sections: -

Section 9A. In determining eligibility for any benefit program administered by the Commonwealth or any agency, subdivision thereof, which

has eligibility requirements, the Commonwealth and any agency or subdivision thereof shall not consider any benefits received under this chapter or pursuant to Section 9B by a receipt for a child in his care or custody who is a relative but not a son or a daughter.

Section 9B. Grantees, relatives as described in Section 9A, shall be eligible to receive financial assistance to assist them in preserving their families from the Family Preservation Trust Fund, established in Section 35O of Chapter 10; provided, however, that such assistance in total shall not exceed the cost of a foster care placement for child. The Commissioner of the Department of Transitional Assistance shall promulgate standards, rules and regulations to implement the provisions of this section. Such rules and regulations shall include income eligible guidelines whereby families with incomes below 185% of the federal poverty level will be eligible.

Section 9C. Any money set aside pursuant to the Uniform Gifts to Minors Act for educational purposes shall not count as income or assets in determining aid pursuant to this chapter.