

## Comparison of Current Chapter 49 and Proposed Re-Write

Current Chapter 49	H.B. 2200
<b>Article 1 (purpose, definitions)</b>	<b>Article 1 (purpose, definitions)</b>
§49-1-1. Purpose, location of child welfare services; state and federal cooperation; juvenile services	§49-1-101. Short title; intent of recodification
	§49-1-102. Legislative intent; continuation of existing statutory provisions
	§49-1-103. Operative date of enactment; effect on existing law
	§49-1-104. West Virginia code replacement
	§49-1-105. Purpose
	§49-1-106. Location of child welfare services; state and federal cooperation; juvenile services. (Was in §49-1-1 in current code)
§49-1-2, -3, -4 (definitions)	§49-1-201 to -209. (definitions, pulled from throughout chapter and put in categories)
§49-1-5. Limitation on out-of-home placement (Now in §49-4-106. Limitation on out-of-home placements.)	
<b>Article 2 (state responsibilities for the protection and care of children)</b>	<b>Article 2 (state responsibilities for the protection and care of children)</b>
	<b>PART I. GENERAL AUTHORITY AND DUTIES OF THE DEPARTMENT OF HEALTH AND HUMAN RESOURCES.</b>
§49-2-1. Care for children committed to the state department	§49-2-101. Authorization and responsibility (Combines language from §49-2-1 and §49-2-3.)
§49-2-2. Duration of custody or guardianship of children committed to state department (Now in §49-4-113. Duration of custody or guardianship of children committed to department.)	
	§49-2-102. Minimum staffing complement for child protective services (From current §49-6-1a)
	§49-2-103. Proceedings by the state

	department (From current §49-7-28)
	§49-2-104. Education of the public (From current §49-2B-15)
	§49-2-105. Administrative and judicial review (From current §49-2B-14)
	§49-2-106. Department responsibility for foster care homes (Taken from current §49-2-1)
§49-2-3. Development of standards of child care. (Now in §49-2-107 and §49-2-110)	§49-2-107. Foster-home care; minimum standards; certificate of operation; inspection. (Taken from current §49-2-3, -5, -6, -10)
§49-2-4, -4a. Repealed in 1981.	
§49-2-5. Same—Supervision, records and reports	
§49-2-6. Same-- Certificate (Now in §49-2-107)	
§49-2-6. Same—Approval of articles of incorporation (Now in §49-2-112. Family homes; approval of incorporation by Secretary of State; approval of articles of incorporation.)	
§49-2-7, -8. Repealed in 1981	
§49-2-9. Unsupervised foster homes-- Generally (Not carried over to bill because antiquated, from 1970)	
§49-2-10. Same—Certificate. (Now in §49-2-113. Licensure, certification, approval and registration requirements.)	
§49-2-11. Same—Visits; records. (Now in §49-2-108.)	§49-2-108. Visits and inspections; records. (From §49-2-11. Same—Visits; records.)
§49-2-12. Same-- Removal of child from undesirable foster home. (Not specifically carried over to bill because older provision from 1970, and covered in Article 4)	
§49-2-13. Parole of certain children to state department. (Not carried over to bill because antiquated--from 1978—and unreflective of	

practice)	
§49-2-14. Criteria and procedure for removal of a child from foster home, notice of child's availability for placement; limitations. (Covered in new §49-4-111. Criteria and procedure for temporary removal of child from foster home; foster care arrangement termination; notice of child's availability for placement; adoption; sibling placements; limitations.)	
§49-2-15. Placing children from other states in private homes of State.	§49-2-109. Placing children from other states in private homes of state.
§49-2-16. State responsibility for child care. (This is in a few places in the bill, including §49-2-101; DJS responsibilities in §49-2-801 et. seq.; voluntary placement in §49-4-115; emergency custody by law enforcement in §49-4-301.)	
§49-2-17. Subsidized adoption and legal guardianship. (Now in §49-4-112. Subsidized adoption and legal guardianship.)	
	§49-2-110. Development of standards of child care. (From §49-2-3)
	§49-2-112. Family homes; approval of incorporation by Secretary of State; approval of articles of incorporation. (From §49-3-2)
	§49-2-113. Residential child care centers; licensure, certification, approval and registration; requirements. (From §49-2B-3)
	§49-2-114. Application for license or approval. (From §49-2B-6)
	§49-2-115. Conditions of licensure, approval and registration. (From §49-2B-6)
	§49-2-116. Investigative authority; evaluation; complaint. (From §49-2B-10)
	§49-2-117. Revocation; provisional licensure and approval.

	(From §49-2B-11)
	§49-2-118. Closing of facilities by the secretary; placement of children. (From §49-2B-12)
	§49-2-119. Supervision; consultation; State Fire Marshall to cooperate. (From §49-2B-9)
	§49-2-120. Penalties; injunctions; venue. (From §49-2B-5)
	§49-2-121. Rule-making. (From §49-2B-4)
	§49-2-122. Waivers and variances to rules. (From §49-2B-7)
	§49-2-123. Annual reports; directory; licensing reports and recommendations. (From §49-2B-14)
	§49-2-124. Certificate of need not required; conditions; review. (From §49-7-30)
	§49-2-125. Commission to Study Residential Placement of Children; findings; requirements; reports; recommendations; termination. (From §49-7-34)
	§49-2-122. Waivers and variances to rules.
	§49-2-122. Waivers and variances to rules.
<b>Article 2A</b>	
§49-2A-1 et seq. Interstate Compact on the Placement of Children (Now in Article 7, §49-7-101 et seq.)	
<b>Article 2B</b>	
§49-2B-1 et seq. Duties of Secretary of DHHR (Now in Article 2, Part I, of the bill, as well as the definitions in Article 1)	
§49-2B-16 (implementation of the Integrated Pest Management Program) (Mentioned in §49-2-121. Rules.)	
<b>Article 2C</b>	
§49-2C-1 et seq. (Interstate Adoption Assistance Compact) (Now in Article 7, §49-7-201 et seq.)	
<b>Article 2D</b>	
<b>PART II. HOME-BASED FAMILY</b>	

<b>Home-Based Family Preservation Act</b>	<b>PRESERVATION ACT</b>
§49-2D-1. Findings and purpose.	§49-2-201. Findings and purpose.
§49-2D-2. Definitions. (Now in §49-1-206.)	
§49-2D-3. Hearing required to determine reasonable efforts (Now in §49-4-105.)	
§49-2D-4. When family preservation services required.	§49-2-202. When family preservation services required.
§49-2D-5. Caseload limits for home-based family preservation services.	§49-2-203. Caseload limits for home-based preservation services.
§49-2D-6. Situational criteria requiring service.	§49-2-204. Situational criteria requiring service.
§49-2D-7. Service delivery through service contracts; accountability.	§49-2-205. Service delivery through service contracts; accountability.
§49-2D-8. Provision of special services.	§49-2-206. Special services to be provided.
§49-2D-9. Development of home-based family preservation services.	§49-2-207. Development of home-based family preservation services.
<b>Article 2E Quality Rating and Improvement System</b>	<b>PART III. QUALITY IMPROVEMENT AND RATING SYSTEM FOR CHILD CARE.</b>
§49-2E-1. Findings and intent; advisory council.	§49-2-301. Findings and intent; advisory council.
§49-2E-2. Creation of statewide quality rating system; legislative rule required; minimum provisions.	§49-2-302. Creation of statewide quality rating system; rule-making; minimum requirements.
§49-2E-3. Creation of statewide quality improvement system; financial plan to support implementation and quality improvement required as part of rules.	§49-2-303. Statewide quality improvement system; financial plan; staffing requirements; public awareness campaign; management information system; financial assistance for child care programs; program staff; child care consumers.
§49-2E-4. Quality rating and improvement system pilot projects; independent third-party evaluation; modification of proposed rule and financial plan; report to Legislature; limitations on implementation.	§49-2-304. Quality rating and improvement system pilot projects; independent third-party evaluation; modification of proposed rule and financial plan; report to Legislature; limitations on implementation.
	<b>PART IV. CHILDREN'S TRUST FUND.</b>
	§49-2-401. Continuation, transfer and renaming of trust fund; funding. (From current §49-6C-1)
	<b>PART V. CHILDREN WITH SPECIAL NEEDS. (From Article 4 of current code)</b>

	§49-2-501. Children to whom article applies; intent.
	§49-2-502. Powers of the secretary.
	§49-2-503. Report of birth of special health care needs child.
	§49-2-504. Assistance by other agencies.
	§49-2-505. Cost of treatment.
<b>Article 3 (Child Welfare Agencies)</b>	
§49-3-1. Consent by agency or department to adoption of child; statement of relinquishment by parent; petition to terminate parental rights. (Now in §49-4-114.)	
§49-3-2. Approval of incorporation of child care organizations. (Now in §49-2-112.)	
<b>Article 4 (Children with Special Needs) (Now in Part V of Article 2 in the bill)</b>	
§49-4-1. Purpose.	
§49-4-2. Children to whom this article applies. (Now in §49-2-501.)	
§49-4-3. Powers of state bureau. (Now in §49-2-502.)	
§49-4-4. Report of birth of special health care needs child. (Now in §49-2-503.)	
§49-4-5. Assistance by other state agencies. (Now in §49-2-504.)	
§49-4-6. Cost of treatment. (Now in §49-2-505.)	
§49-4-7. Repealed.	
<b>Article 4A (West Virginia Family Support Program)</b>	<b>PART VI. WEST VIRGINIA FAMILY SUPPORT PROGRAM.</b>
§49-4A-1. Findings.	§49-2-601. Findings; intent.
§49-4A-2. Definitions. (Now in §49-1-206 definitions section)	
§49-4A-3. Family support services.	§49-2-602. Family support services; responsibilities; funds; case management; outreach; differential fees.
§49-4A-4. Eligibility, primary focus.	§49-2-603. Eligibility; primary focus.
§49-4A-5. Program administration.	§49-2-604. Program administration;

	implementation; procedures; annual evaluation; coordination; plans; grievances; reports.
§49-4A-6. Regional and state family support councils.	§49-2-605. Regional and state family support councils; membership; meetings; reimbursement of expenses.
<b>Article 5. Juvenile Proceedings</b> See Article 2, Part IX on page 8 for comparison	
<b>Article 5A. Juvenile Referee System.</b> There is no longer a juvenile referee system, except for magistrates, but most other provisions are covered in Article 2, Part IX on page 8.	
<b>Article 5B. West Virginia Juvenile Offender Rehabilitation Act</b> See Article 2, Part X on page 9 for comparison.	
<b>Article 5C. Committees on Juvenile Law</b> The bill does not include this article because it is defunct.	
<b>Article 5D. Multidisciplinary Teams</b> See Article 2, Part IV on page 12 for comparison.	
<b>Article 5E. Division of Juvenile Services</b> See page 8 for comparison with proposed Article II, Part IX.	
	<b>PART VII. CAREGIVERS CONSENT ACT. (From Article 11 of current code)</b>
	§49-2-701. Caregiver consent for minor's health care; treatment.
	§49-2-702. Duty of health care facility or practitioner.
	§49-2-703. Affidavit of caregiver consent; requirements.
	§49-2-704. Revocation and termination of consent; written notice; validity.
	§49-2-705. Good faith reliance on affidavit; applicability.
	§49-2-706. Exceptions to applicability.
	§49-2-707. Penalty for false statement.
	§49-2-708. Rule-making authority.
	<b>PART VIII. REPORTS OF CHILDREN SUSPECTED OF ABUSE.</b>

	<b>(From Article 6A of current code)</b>
	<b>PART VIII. REPORTS OF CHILDREN SUSPECTED OF ABUSE. (From Article 6A of current code)</b>
§49-6A-1. Purpose.	§49-2-801. Purpose.
§49-6A-9. Establishment of child protective services; general duties and powers; administrative procedure; immunity from civil liability; cooperation of other state agencies.	§49-2-802. Establishment of child protective services; general duties and powers; administrative procedure; immunity from civil liability; cooperation of other state agencies.
§49-6A-2. Persons mandated to report suspected abuse and neglect.	§49-2-803. Persons mandated to report suspected abuse and neglect; requirements.
§49-6A-2a. Notification of disposition of reports.	§49-2-804. Notification of disposition of reports.
§49-6A-10. Educational programs.	§49-2-805. Educational programs; requirements.
§49-6A-2b. Mandatory reporting of suspected animal cruelty by child protective service workers.	§49-2-806. Mandatory reporting of suspected animal cruelty by child protective service workers.
§49-6A-3. Mandatory reporting to medical examiner or coroner; postmortem investigation.	§49-2-807. Mandatory reporting to medical examiner or coroner; postmortem investigation.
§49-6A-4. Photographs and X rays.	§49-2-808. Photographs and X rays.
§49-6A-5. Reporting procedures.	§49-2-809. Reporting procedures.
§49-6A-6. Immunity from liability.	§49-2-810. Immunity from liability.
§49-6A-7. Abrogation of privileged communications; exception.	§49-2-811. Abrogation of privileged communications; exception.
§49-6A-8. Failure to report; penalty.	§49-2-812. Failure to report; penalty.
§49-6A-11. Statistical index; reports.	§49-2-813. Statistical index; reports.
Article 5E. Division of Juvenile Services	<b>PART IX. GENERAL AUTHORITY AND DUTIES OF THE DIVISION OF JUVENILE SERVICES. (From current Article 5E)</b>
§49-5E-1. Policy.	§49-2-901. Policy; cooperation. (From current §49-2-16, §49-5E-1.)
§49-5E-2. Division created; transfer of functions; employment of comprehensive strategy.	§49-2-902. Division of Juvenile Services; transfer of functions; juvenile placement. (From current 49-5E-2.)
§49-5E-3. Transfer of functions; duties and powers; employment of comprehensive strategy.	§49-2-903. Powers and duties; comprehensive strategy; cooperation.
§49-5E-4. Transfer of Kanawha home for children to the division of juvenile services. (This section, originally from 1955, was not	

carried over to bill)	
§49-5E-5. Rules for specialized training for juvenile corrections officers and detention center employees.	§49-2-904. Rules for specialized training for juvenile corrections officers and detention center employees.
§49-5E-5a. Juvenile detention and corrections facilities; employees; priority of hiring.	§49-2-905. Juvenile detention and corrections facility personnel.
§49-5E-6. Medical and other treatment of juveniles in custody of the division; coordination of care and claims processing and administration by the department; authorization of certain cooperative agreements.	§49-2-906. Medical and other treatment of juveniles in custody of the division; consent; service providers; medical care; pregnant inmates; claims processing and administration by the department; authorization of cooperative agreements.
	§49-2-907. Examination, diagnosis, classification and treatment; period of custody. (From §49-5-13a)
§49-5E-7. Provision of education services for juveniles placed in predispositional detention facilities.	§49-2-908. Educational services for juveniles placed in predispositional and postdispositional facilities; authorization; cooperation; rule-making.
49-5E-8. Arrest authority of juvenile correctional and detention officers.	§49-2-909. Arrest authority of juvenile correctional and detention officers.
§49-5E-6a. Juvenile trustee accounts and funds, earnings and personal property of juveniles.	§49-2-910. Juvenile trustee accounts and funds, earnings and personal property of juveniles; return of property; reports;
§49-5E-6b. Juvenile benefit funds.	§49-2-911. Juvenile benefit funds; uses; reports.
	<b>PART X. WEST VIRGINIA JUVENILE OFFENDER REHABILITATION ACT. (From current Article 5B)</b>
§49-5B-1. Short title §49-5B-2. Purpose and intent. §49-5B-3. Repealed in 1997.	§49-2-1001. Purpose; intent.
§49-5B-4. Responsibilities of the department of health and human resources and division of juvenile services of the department of military affairs and public safety.	§49-2-1002. Responsibilities of the Department of Health and Human Resources and Division of Juvenile Services of the Department of Military Affairs and Public Safety; programs and services; rehabilitation; cooperative agreements.
§49-5B-5. Rehabilitative facilities for status offenders.	§49-2-1003. Rehabilitative facilities for status offenders; requirements; educational instruction.
§49-5B-5a. Creating the Juvenile Services	§49-2-1004. The Juvenile Services

Reimbursement Offender Fund.	Reimbursement Offender Fund; use; expenditures.
§49-5B-6. Enforcement of legal custody.	§49-2-1005. Legal custody; law enforcement agencies.
§49-5B-7. Reporting requirements; cataloguing of services.	§49-2-1006. Reporting requirements; cataloguing of services.
	<b>Article 3. Specialized Advocacy Programs (CAC and CASA)</b>
	§49-3-101. Child advocacy centers; services; requirements. (From current §49-1-4)
	§49-3-102. Court appointed special advocate; operations. (From current §49-1-3)
	<b>Article 4 (Court Actions)</b>
	<b>PART I. GENERAL PROVISIONS.</b>
	§49-4-101. Exercise of powers and jurisdiction by judge in vacation. (From current §49-7-21)
	§49-4-102. Procedure for appealing decisions. (From current §49-7-22)
	§49-4-103. Proceedings may not be evidence against child, or be published; adjudication is not a conviction and not a bar to civil service eligibility. (From current §49-7-3)
	§49-4-104. General provisions relating to court orders regarding custody; rules. (From current §49-7-29)
	§49-4-105. Hearing required to determine "reasonable efforts." (From current §49-2D-3)
	§49-4-106. Limitation on out-of-home placements. (From current §49-1-5)
	§49-4-107. Penalties. (From current §49-7-20)
	§49-4-108. Payment of services. (From current §49-7-33)
	§49-4-109. Guardianship of estate of child unaffected. (From current §49-7-2)
	§49-4-110. Foster care; quarterly status review; transitioning adults; annual permanency hearings. (From current §49-7-36)

	§49-4-111. Criteria and procedure for temporary removal of child from foster home; foster care arrangement termination; notice of child's availability for placement; adoption; sibling placements; limitations. (From current §49-2-14)
	§49-4-112. Subsidized adoption and legal guardianship; conditions. (From current §49-2-17)
	§49-4-113. Duration of custody or guardianship of children committed to department. (From current §49-2-2)
	§49-4-114. Consent by agency or department to adoption of child; statement of relinquishment by parent; counseling services; petition to terminate parental rights; notice; hearing; court orders. (From current §49-3-1)
	§49-4-115. Emancipation. (From current §49-7-27)
	§49-4-116. Voluntary placement; petition; requirements; attorney appointed; court hearing; orders. (From current §49-2-16)
	<b>PART II. EMERGENCY POSSESSION OF CERTAIN RELINQUISHED CHILDREN.</b>
	§49-4-201. Accepting possession of certain relinquished children. (From current §49-6E-1)
	§49-4-202. Notification of possession of relinquished child; department responsibilities. (From current §49-6E-2)
	§49-4-203. Filing petition after accepting possession of relinquished child. (From current §49-6E-3)
	§49-4-204. Immunity from certain prosecutions. (From current §49-6E-4)
	§49-4-205. Adoption eligibility. (From current §49-6E-5)
	<b>PART III. EMERGENCY CUSTODY OF CHILDREN PRIOR TO PETITION.</b>
	§49-4-301. Custody of a neglected child by law enforcement in emergency situations; protective custody; requirements; notices; petition for appointment of special guardian;

	discharge; immunity. (From current §49-6-9 and §49-6B-1 et seq.)
	§49-4-302. Authorizing a family court judge to order custody of a child in emergency situations; requirements; orders; investigative reports; notification required. (From current §49-6-9a)
	§49-4-303. Emergency removal by department before filing of petition; conditions; referee; application for emergency custody; order. (From current §49-6-3)
	<b>PART IV. MULTIDISCIPLINARY TEAMS, CASE PLANS, TRANSITION PLANS AND AFTERCARE PLANS.</b>
§49-5D-1. Purpose; additional cases and teams.	§49-4-401. Purpose; system to be a complement to existing programs.
§49-5D-2. Multidisciplinary investigative teams; establishment; procedures; coordination between agencies.	§49-4-402. Multidisciplinary investigative teams; establishment; membership; procedures; coordination among agencies; confidentiality.
§49-5D-3. Multidisciplinary treatment planning process.	§49-4-403. Multidisciplinary treatment planning process; coordination; access to information.
§49-5D-3a. Recommendation of team to the court; hearing requirement; required findings.	§49-4-404. Court review of service plan; hearing; required findings; order; team member's objections.
§49-5D-3b. Multidisciplinary treatment planning process involving child abuse and neglect.	§49-4-405. Multidisciplinary treatment planning process involving child abuse and neglect; team membership; duties; reports; admissions.
§49-5D-3c. Multidisciplinary treatment process for juvenile status offenders and delinquents; requirements.	§49-4-406. Multidisciplinary treatment process for juvenile status offenders and delinquents; requirements; custody; procedure; reports; cooperation; inadmissibility of certain statements.
§49-5D-4. Report of teams.	§49-4-407. Team directors; records; case logs.
	§49-4-408. Unified child and family case plans; treatment teams; programs; agency requirements. (From current §49-6D-3)
	§49-4-409. After care plans; contents; written comments; contacts; objections; courts. (From current §49-5-20)

§49-5D-6. Other agencies of government required to cooperate.	§49-4-410. Other agencies of government required to cooperate.
§49-5D-7. Law enforcement; prosecution; interference with performance of duties.	§49-4-411. Law enforcement; prosecution; interference with performance of duties.
§49-5D-8. Exemption from multidisciplinary team review before emergency out-of-home placements.	§49-4-412. Exemption from multidisciplinary team review before emergency out-of-home placements.
	<b>PART V. DUTIES OF THE PROSECUTING ATTORNEY.</b>
	§49-4-501. Prosecuting attorney representation of the Department of Health and Human Resources; conflict resolution. (From current §49-7-26 and §49-6-10a)
	§49-4-502. Prosecuting attorney to cooperate with persons other than the department in child abuse and neglect matters; duties (From current §49-6-10)
	§49-4-503. Prosecuting attorney to represent petitioner in juvenile cases. (From current §49-5-12)
	§49-4-504. Prosecuting attorney duty to establish multidisciplinary investigative teams. (From current §49-5D-1 and §7-4-5)
<b>Article 6. Procedure in Cases of Child Neglect or Abuse</b>	<b>PART VI. PROCEDURES IN CASES OF CHILD NEGLECT OR ABUSE.</b>
§49-6-1. Petition to court when child believed neglected or abused; notice.	§49-4-601. Petition to court when child believed neglected or abused; venue; notice; right to counsel; continuing legal education; findings; proceedings; procedure.
§49-6-1a. Minimum staffing complement for child protection services. (Now in §49-2-102.)	
§49-6-2. Petition to court when child believed neglected or abused—Right to counsel; improvement period; hearing; priority of proceeding; transcript.	§49-4-602. Petition to court when child believed neglected or abused; temporary care, custody, and control of child at different stages of proceeding; temporary care; orders; emergency removal; when reasonable efforts to preserve family are unnecessary.
§49-6-3. Petition to court when child believed abused or neglected –Temporary custody. (Now in §49-4-303 and §49-4-602)	
§49-6-4. Medical and mental	§49-4-603. Medical and mental

examinations.	examinations; limitation of evidence; probable cause; testimony; judge or referee.
§49-6-5. Disposition of neglected or abused children.  §49-6-5a. Repealed in 2012.	§49-4-604. Disposition of neglected or abused children; case plans; dispositions; factors to be considered; reunification; orders; alternative dispositions.
§49-6-5b. When efforts to terminate parental rights required.	§49-4-605. When department efforts to terminate parental rights are required.
§49-6-6. Modification of dispositional orders.	§49-4-606. Modification of dispositional orders; hearings; treatment team; unadopted children.
§49-6-7. Consensual termination of parental rights.	§49-4-607. Consensual termination of parental rights.
§49-6-8. Permanency hearing and permanent placement review.	§49-4-608. Permanency hearing; frequency; transitional planning; out-of-state placements; findings; notice; permanent placement review.
§49-6-9. Custody in emergency situations. (Now in §49-4-301.)	
§49-6-9a. Authorizing a family court judge to order custody of a child in emergency situations. (Now in §49-4-302.)	
§49-6-10. Duties of prosecuting attorney. (Now in §49-4-502.)  §49-6-10a. Dispute resolution. (Now in §49-4-501.)	
§49-6-11. Conviction for offenses against children.	§49-4-609. Conviction for offenses against children.
§49-6-12. Improvement periods in cases of child neglect or abuse.	§49-4-610. Improvement periods in cases of child neglect or abuse; findings; orders; extensions; hearings; time limits.
<b>Article 6A. Reports of Children Suspected of Being Abused or Neglected.</b> See Article 2, Part VIII on pages 7-8	
<b>Article 6B. Appointment of Special Guardian to Secure Medical Treatment for Persons Under Eighteen Years.</b> See §49-4-301 on pages 11-12.	
<b>Article 6C. Children’s Trust Fund.</b> See §49-2-401 on page 5.	
<b>Article 6D. West Virginia Child</b>	

<p><b>Protective Services Act.</b> See uniform case plans in §49-4-408 on page 12.</p>	
<p><b>Article 6E. Emergency Possession of Certain Abandoned Children.</b> See on §49-4-201 et seq. on page 11.</p>	
<p><b>Article 5 (Juvenile Proceedings)</b></p>	<p><b>PART VII. JUVENILE PROCEEDINGS.</b></p>
<p>§49-5-1. Definitions. (Now in Article 1 definitions section)</p> <p>§49-5-1a and -1b repealed in 1996.</p>	
<p>§49-5-2. Juvenile jurisdiction of circuit courts, magistrate courts, municipal courts, constitutional guarantees, hearings, evidence and transcripts.</p>	<p>§49-4-701. Juvenile jurisdiction of circuit courts, magistrate courts and municipal courts; constitutional guarantees; requirements; hearings; right to counsel; opportunity to be heard; evidence and transcripts.</p>
<p>§49-5-2a. Prepetition diversion to informal resolution.</p> <p>§49-5-3. Noncustodial counseling of a juvenile.</p> <p>§49-5-3a. Informal adjustment counseling by probation officer.</p>	<p>§49-4-702. Prepetition interventions; court referrals; probation officers; giving of counsel.</p>
<p>§49-5-2b. Juvenile drug courts.</p>	<p>§49-4-703. Juvenile drug courts; hearing officers.</p>
<p>§49-5-4. Wards of court. (Archaic and not carried over to bill.)</p>	
<p>§49-5-7. Institution of proceedings by petition; notice to juvenile and parents; subpoena.</p>	<p>§49-4-704. Institution of proceedings by petition; notice to juvenile and parents; preliminary hearings; subpoena.</p>
<p>§49-5-8. Taking a juvenile into custody.</p>	<p>§49-4-705. Taking a juvenile into custody; requirements; existing conditions; detention centers; medical aid.</p>
<p>§49-5-8a. Detention hearing, counsel.</p>	<p>§49-4-706. Detention hearing; rights of juvenile; notification; counsel; hearings.</p>
	<p>49-4-707. Review of order following detention hearing.</p>
<p>§49-5-9. Preliminary hearing, counsel, improvement period.</p>	<p>§49-4-708. Preliminary hearing; counsel; custody; court requirements; pre-adjudicatory community supervision period.</p>

§49-5-6. Jury trial under article.	§49-4-709. Right to jury trial for juveniles; inapplicability.
§49-5-10. Waiver and transfer of jurisdiction.	§49-4-710. Waiver and transfer of jurisdiction.
§49-5-11. Adjudication for alleged status offenders and delinquents; mandatory initial disposition of status offenders.	§49-4-711. Adjudication for alleged status offenders and delinquents; mandatory initial disposition of status offenders; court orders.
§49-5-11a. Status offenders: Intervention and services by state department pursuant to initial disposition; enforcement; further disposition; detention; out-of-home placement; state department custody; least restrictive alternative; appeal.	§49-4-712. Intervention and services by the department pursuant to initial disposition for status offenders; service plan; enforcement; further disposition; detention; out-of-home placement; department custody; least restrictive alternative; appeal.
§49-5-12. Prosecutor to represent petitioner. (Now in §49-4-503 on page 13.)	
§49-5-13c. Graduated sanctions for juvenile alcohol consumption.	§49-4-713. Graduated penalties for juvenile alcohol consumption; fines; community service; revocation of driver's license.
§49-5-13. Disposition of juvenile delinquents, appeal.	§49-4-714. Disposition of juvenile delinquents; investigation; proceedings; court discretion; orders; appeal.
§49-5-13a. Examination, diagnosis, and classification; period of custody. (Now in §49-2-907 on page 9.)	
§49-5-13b. Authority of courts to order fines; revocation of vehicle privileges and restitution.	§49-4-715. Authority of the courts to impose additional penalties; public service projects; ineligible to operate a motor vehicle; restitution.
§49-5-13d. Teen court program.	§49-4-716. Teen court program; alternative; suitability; unsuccessful cooperation; requirements; fees.
§49-5-13e. Comprehensive plan for juveniles. (See Article 2, Part IX on page 8.)	
§49-5-13f. Animal cruelty early intervention program. (Removed from bill because defunct.)	
§49-5-13g. Sexting educational diversion program.	§49-4-717. Sexting educational diversion program; requirements.
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§49-5-16. Prohibition on committing juveniles to adult facilities.	§49-4-720. Prohibition on committing juveniles to adult facilities; copy provided to juvenile.
§49-5-16a. Rules governing juvenile facilities.	§49-4-721. Rules governing juvenile facilities; rights of juveniles.
§49-5-16b. Conviction for offense while in custody.	§49-4-722. Conviction for offense while in custody.
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	<b>ARTICLE 7. INTERSTATE COOPERATION.</b>
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