

Fifty-sixth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2032

Introduced by

Legislative Council

(Budget Committee on Human Services)

1 A BILL for an Act to amend and reenact sections 50-06-20 and 50-09-02.2 of the North Dakota
2 Century Code, relating to assistance for adopted children with special needs.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 50-06-20 of the 1997 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **50-06-20. Programs funded at state expense - Interpretation.**

- 7 1. The state shall bear the cost, in excess of the amount provided by the federal
8 government, of:
- 9 a. Except as provided in section 50-24.1-14, services provided under chapter
 - 10 50-24.1;
 - 11 b. Benefits provided under subsection 19 of section 50-06-05.1;
 - 12 c. Supplements provided under chapter 50-24.5 as basic care services;
 - 13 d. Services provided under ~~section 50-06-06.8~~ and chapter 50-09 as child care
 - 14 assistance;
 - 15 e. Services provided under chapter 50-09 as employment and training programs;
 - 16 f. Welfare fraud detection programs;
 - 17 g. Temporary assistance for needy families; ~~and~~
 - 18 h. Assistance provided under section 50-09-02.2 and chapter 50-24.1 for
 - 19 adopted children with special needs; and
 - 20 i. Special projects approved by the department and agreed to by any affected
 - 21 county social service board.
- 22 2. This section does not grant any recipient of services, benefits, or supplements
23 identified in subsection 1, any service, benefit, or supplement that a recipient could
24 not claim in the absence of this section.

1 **SECTION 2. AMENDMENT.** Section 50-09-02.2 of the 1997 Supplement to the North
2 Dakota Century Code is amended and reenacted as follows:

3 **50-09-02.2. Assistance for adopted children with special needs.** Assistance
4 provided under this chapter or chapter 50-24.1 after adoption to a child with special needs must
5 be provided without regard to the income or resources of the adopting parents. Except as
6 provided in this section, such assistance continues until the adopted child becomes eighteen
7 years of age, is emancipated, or dies; the adoption is terminated; or a determination of
8 ineligibility is made by the ~~county~~ state agency, whichever occurs earlier. If sufficient funds are
9 available, the ~~county~~ state agency may continue assistance for an adopted child until the child
10 reaches twenty-one years of age if the agency determines that the adopted child is a student
11 regularly attending a secondary, postsecondary, or vocational school in pursuance of a course
12 of study leading to a diploma, degree, or gainful employment. Assistance provided to an
13 adopted child must continue regardless of the residence of the adopting parents. ~~A~~ The state
14 ~~or county~~ agency may require, as a condition of receiving assistance under this chapter or
15 chapter 50-24.1, that the adopting parents enter into a contract or agreement regarding the type
16 of assistance to be received; the amount of assistance; the identity of the physical, mental, or
17 emotional condition for which medical assistance is received; or any conditions for continued
18 receipt of assistance. A child with special needs is a child legally available for adoptive
19 placement whose custody has been awarded to the department or a ~~county social services~~
20 ~~board~~ licensed child-placing agency and who is five years of age or older; under eighteen years
21 of age with a physical, emotional, or mental handicap; a member of a minority; or a member of
22 a sibling group.