



General Assembly

February Session, 2022

Raised Bill No. 5336

LCO No. 2172



Referred to Committee on HUMAN SERVICES

Introduced by:
(HS)

AN ACT APPLYING THE PROVISIONS OF THE INDIAN CHILD WELFARE ACT TO CHILD CUSTODY, PLACEMENT, ADOPTION AND TERMINATION OF PARENTAL RIGHTS PROCEEDINGS INVOLVING AN INDIAN CHILD.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) As used in this section, (1)
2 "Indian child" has the same meaning as provided in 25 USC 1903, as
3 amended from time to time, and (2) "Indian Child Welfare Act", 25 USC
4 1901 et seq., as amended from time to time, means the federal law setting
5 minimum standards for the removal of Indian children from their
6 families and the placement of such children in foster or adoptive homes.

7 (b) In any action or proceeding under chapter 319 or 319a of the
8 general statutes involving an Indian child's custody, placement in a
9 foster or adoptive home or termination of the parental rights of the
10 parents of such child, the Commissioner of Children and Families shall
11 ensure that such action or proceeding is conducted in accordance with
12 the Indian Child Welfare Act.

13 Sec. 2. (NEW) (*Effective from passage*) (a) As used in this section, (1)

14 "Indian child" has the same meaning as provided in 25 USC 1903, as
15 amended from time to time, and (2) "Indian Child Welfare Act", 25 USC
16 1901 et seq., as amended from time to time, means the federal law setting
17 minimum standards for the removal of Indian children from their
18 families and the placement of such children in foster or adoptive homes.

19 (b) In any action or proceeding under chapter 803 of the general
20 statutes involving an Indian child's custody, placement in an adoptive
21 home or termination of the parental rights of the parents of such child,
22 the Probate Court, or the Superior Court in cases transferred pursuant
23 to section 45a-715 of the general statutes, shall ensure that such action
24 or proceeding is conducted in accordance with the Indian Child Welfare
25 Act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section

Statement of Purpose:

To ensure that the provisions of the Indian Child Welfare Act apply to child custody, placement, adoption and termination of parental rights proceedings involving an Indian child.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]