

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

*Codification  
District of  
Columbia  
Official Code*

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To amend, on a temporary basis, An act to provide for the care of dependent children in the District of Columbia and to create a board of children's guardians to extend the adoption subsidy for a child from 18 years of age to 21 years of age; and to amend Chapter 23 of Title 16 of the District of Columbia Official Code to extend the guardianship subsidy for a child from 18 years of age to 21 years of age, and to clarify that a child who exits foster care to a guardianship or an adoption may not reenter foster care.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Adoption and Guardianship Subsidy Temporary Amendment Act of 2010".

Sec. 2. Section 3(e) of An act to provide for the care of dependent children in the District of Columbia and to create a board of children's guardians, approved July 26, 1892 (27 Stat. 269; D.C. Official Code § 4-301(e)), is amended as follows:

Note,  
§ 4-301

(a) Designate the existing text as paragraph (1).

(b) The newly designated paragraph (1) is amended by striking the phrase "Eligibility for payments" and inserting the phrase "Except as provided in paragraph (2) of this subsection, eligibility for payments" in its place.

(c) A new paragraph (2) is added to read as follows:

"(2) For adoptions that are finalized on or after the effective date of the Adoption and Guardianship Subsidy Emergency Amendment Act of 2010, passed on emergency basis on April 20, 2010 (Enrolled version of Bill 18-759), eligibility for payments shall continue until the child reaches 21 years of age."

Sec. 3. Chapter 23 of Title 16 of the District of Columbia Official Code is amended as follows:

(a) Section 16-2390 is amended to read as follows:

"§ 16-2390. Jurisdiction.

Note,  
§ 16-2390

"(a) Subject to subsection (b) of this section, the court shall retain jurisdiction to enforce, modify, or terminate a guardianship order until a child reaches 18 years of age; provided, that the court may retain jurisdiction until the child reaches 21 years of age if the child consents and the court finds it is in the best interest of the child.

"(b) A child who exits foster care to guardianship or adoption may not reenter

**ENROLLED ORIGINAL**

foster care after age 18.”.

(b) Section 16-2399 is amended as follows:

Note,  
§ 16-2399

(1) Subsection (b) is amended as follows:

(A) Paragraph (2) is amended by adding the word “and” at the end.

(B) Paragraph (3) is repealed.

(2) Subsection (d) is amended as follows:

(A) Designate the existing text as paragraph (1).

(B) The newly designated paragraph (1) is amended by striking the phrase “Eligibility for subsidy” and inserting the phrase “Except as provided in paragraph (2) of this subsection, eligibility for subsidy” in its place.

(C) A new paragraph (2) is added to read as follows:

“(2) For guardianships that are finalized on or after the effective date of the Adoption and Guardianship Subsidy Emergency Amendment Act of 2010, passed on emergency basis on April 20, 2010 (Enrolled version of Bill 18-759), eligibility for subsidy payments under this section may continue during the period of the guardianship order until the child reaches 21 years of age.”.

**Sec. 4. Fiscal impact statement.**

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

**Sec. 5. Effective date.**

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia