

1 AN ACT relating to child support.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 620.090 is amended to read as follows:

4 (1) If, after completion of the temporary removal hearing, the court finds there are  
5 reasonable grounds to believe the child is dependent, neglected or abused, the court  
6 shall issue an order for temporary removal and shall grant temporary custody to the  
7 cabinet or other appropriate person or agency. Preference shall be given to available  
8 and qualified relatives of the child considering the wishes of the parent or other  
9 person exercising custodial control or supervision, if known. The order shall state  
10 the specific reasons for removal and show that alternative less restrictive  
11 placements and services have been considered. The court may recommend a  
12 placement for the child.

13 (2) In placing a child under an order of temporary custody, the cabinet or its designee  
14 shall use the least restrictive appropriate placement available. Preference shall be  
15 given to available and qualified relatives of the child considering the wishes of the  
16 parent or other person exercising custodial control or supervision, if known. The  
17 child may also be placed in a facility or program operated or approved by the  
18 cabinet, including a foster home, or any other appropriate available placement.  
19 However, under no circumstance shall the child be placed in a home, facility, or  
20 other shelter with a child who has been committed to the Department of Juvenile  
21 Justice for commission of a sex crime as that term is defined in KRS 17.500, unless  
22 the child committed for the commission of a sex crime is kept segregated from other  
23 children in the home, facility, or other shelter that have not been committed for the  
24 commission of a sex crime.

25 (3) If the court finds there are not reasonable grounds to believe the child is dependent,  
26 neglected or abused, or if no action is taken within seventy-two (72) hours, the  
27 emergency custody order shall be dissolved automatically and the cabinet or its

1           designee shall return the child to the parent or other person exercising custodial  
2           control or supervision. A request for a continuance of the hearing by the parent or  
3           other person exercising custodial control or supervision shall constitute action  
4           precluding automatic dissolution of the emergency custody order.

5       (4) When the court issues a temporary order for the custody of a child, the court may  
6           order that, within two (2) weeks, arrangements be made for the child to receive a  
7           thorough medical, visual, and dental examination by a professional authorized by  
8           the Kentucky Revised Statutes to conduct such examinations. The costs of the  
9           examination shall be paid by the cabinet.

10      (5) The child shall remain in temporary custody with the cabinet for a period of time  
11           not to exceed forty-five (45) days from the date of the removal from his home. The  
12           court shall conduct the adjudicatory hearing and shall make a final disposition  
13           within forty-five (45) days of the removal of the child. The court may extend such  
14           time after making written findings establishing the need for the extension and after  
15           finding that the extension is in the child's best interest.

16      (6) If custody is granted to a grandparent of the child pursuant to this section, the court  
17           shall consider granting reasonable visitation rights to any other grandparent of the  
18           child if the court determines the grandparent has a significant and viable  
19           relationship with the child as established in KRS 405.021(1)(c).

20      **(7) When the court issues a temporary order for the custody of a child, the order**  
21           **shall initiate an action to establish child support, pursuant to KRS 403.211. The**  
22           **court shall establish a child support order, or modify the existing order, within**  
23           **seven (7) days of the issuance of the order of temporary removal.**