



WISCONSIN LEGISLATIVE C

Susan
Dreyfus
requests that
we try to
schedule a hearing
on this ASAP

TO: SENATOR GARY R. GEORGE AND MEMBERS OF
JUDICIARY, CONSUMER AFFAIRS, AND CAMPAIGN FINANCE REFORM

FROM: Anne Sappenfield, Senior Staff Attorney

RE: 2001 Senate Bill 461, Relating to Conforming the Children's Code and the Juvenile Justice Code to the Federal Adoption and Safe Families Act

DATE: February 18, 2002

This memorandum describes 2001 Senate Bill 461, relating to modifying the Children's Code [ch. 48, Stats.] and the Juvenile Justice Code [ch. 938, Stats.] so that they conform with the requirements of the federal Adoption and Safe Families Act.

The bill was introduced on February 22, 2002, by Senator Robson; cosponsored by Representative Kestell. The bill has been referred to the Senate Committee on Judiciary, Consumer Affairs, and Campaign Finance Reform.

This memorandum describes the bill as it applies to proceedings for children in need of protection or services (CHIPS) under ch. 48, Stats. It should be noted, however, that the bill makes the same changes for juvenile delinquency and juveniles in need of protection or services proceedings under ch. 938, Stats., and proceedings for unborn children in need of protection or services under ch. 48, Stats.

COURT FINDINGS FOR CHILDREN PLACED OUTSIDE THE HOME

Dispositional Orders

Current Law

Under current law, if a child is placed outside the home, the child's dispositional order must contain a finding that continued placement of the child in his or her home would be contrary to the

health, safety and welfare of the child.* The order must also contain a finding as to whether the county department of social or human services ("county department"), the Department of Health and Family Services (DHFS) (for Milwaukee County), or the child welfare agency primarily responsible for providing services under the court order has made reasonable efforts to prevent the removal of the child from the home, while assuring that the child's health and safety are the paramount concerns, or, if applicable, a finding as to whether the agency primarily responsible for providing services has made reasonable efforts to make it possible for the child to return safely to his or her home.

The second finding is not required under any of the following circumstances:

1. The parent has subjected the child to aggravated circumstances. Under current law, "aggravated circumstances" include abandonment, torture, chronic abuse, and sexual abuse.
2. The parent has committed, has aided or abetted the commission of, or has solicited, conspired or attempted to commit first- or second-degree intentional homicide, first-degree reckless homicide, or felony murder and that the victim of the homicide or attempted homicide was a child of the parent.
3. The parent has committed substantial battery, first- or second-degree sexual assault, first- or second-degree sexual assault of a child, engaging in repeated acts of sexual assault of the same child, or intentionally or recklessly causing great bodily harm to a child if the violation resulted in great or substantial bodily harm to the child or another child of the parent.
4. The parental rights of the parent to another child have been involuntarily terminated.
5. The parent has been found to have relinquished custody of the child when the child was 72 hours old or younger.

If the juvenile court (i.e., the court authorized to exercise jurisdiction under chs. 48 and 938, Stats.) ("court") makes one of the above findings, the court must hold a hearing within 30 days after the date of that finding to determine the permanency plan for the child. If a hearing is held, the agency responsible for preparing the permanency plan must file the plan with the court not less than five days before the date of the hearing.

The Bill

Under the bill, a court order placing a child outside his or her home must also include a finding that the county department, DHFS, or the child welfare agency has made reasonable efforts to achieve the goal of the child's permanency plan, unless return of the child to the home is the goal of the permanency plan and the court finds that any of the circumstances under which there is no requirement

* Under the Juvenile Justice Code, a dispositional order for a juvenile who is placed outside of his or her home in a delinquency proceeding must include a finding that the juvenile's current residence will not safeguard the welfare of the juvenile or the community due to the serious nature of the act for which the juvenile was adjudicated delinquent. The bill maintains that requirement for juveniles who are adjudged delinquent but requires a finding that continued placement of the juvenile in his or her home would be contrary to the welfare of the juvenile for all other dispositional orders under the Juvenile Justice Code that place a juvenile outside his or her home.

to make reasonable efforts to return the child to his or her home apply. Evidence with respect to the court's required findings must be presented by a county department, DHFS, or a licensed child welfare agency that is recommending placement of the child in a foster home, treatment foster home, group homes, or child caring institution or in the home of a relative.

The bill specifies that the court must make its findings regarding the child's welfare and whether reasonable efforts have been made on a case-by-case basis based on circumstances specific to the child and must document or reference the specific information on which those findings are based in the court order. A court order that merely references this statutory requirement or incorporates the court report or any other document without documenting that specific information in the court order, or an amended court order that retroactively corrects an earlier court order that does not comply with this provision is not sufficient to meet the requirements for documentation. This documentation requirement also applies to the court's finding that a circumstance under which reasonable efforts are not required exists.

If the court finds that any of the circumstances under which there is no requirement to make reasonable efforts to return the child to his or her home applies with respect to a parent, the judge or juvenile court commissioner must hold a hearing within 30 days after the date of that finding to determine the permanency plan for the child. If such a hearing is held, the agency responsible for preparing the permanency plan must file the plan with the court not less than five days before the date of the hearing. The court must notify the child, any parent, guardian and legal custodian of the child, and any foster parent, treatment foster parent or other physical custodian of the child of the time, place and purpose of the hearing at least 10 days before the hearing. Those who receive notice must be permitted to give a written or oral statement upon oath or affirmation. Such notice and opportunity does not make them a party to the proceedings.

The bill specifies that if the court finds that any of the circumstances under which there is no requirement to make reasonable efforts to return the child to his or her home apply with respect to a parent, the order must include a determination that the county department, DHFS, or the child welfare agency primarily responsible for providing services under the court order is not required to make reasonable efforts with respect to the parent to make it possible for the child to return safely to his or her home.

Others Orders

The bill applies the above provisions to additional orders and to consent decrees. These are described below.

Temporary Physical Custody Order

Under current law, a child may be taken into temporary physical custody, generally for safety reasons, before a CHIPS petition is filed. If a child is taken into custody, a hearing must be held within 48 hours, excluding weekends and holidays. At that hearing, the court must determine whether to order the child to be held in temporary physical custody.

Under the bill, the court must include in an order for temporary physical custody the findings that placement in the home would be contrary to the welfare of the child and that reasonable efforts have been made, if required, to prevent the removal of the child from his or her home and to make it possible for the child to return safely home, as described above. If, for good cause shown, sufficient information

is not available for the judge or the juvenile court commissioner to make the reasonable efforts findings, the judge or juvenile court commissioner must order the county department, DHFS, or the child welfare agency primarily responsible for providing services to the child to file with the court sufficient information to make those findings no later than five days after the date of the temporary physical custody order.

Under current law, a parent, guardian, or legal custodian may waive his or her right to a temporary physical custody hearing. After any waiver, however, a hearing must be granted at the request of any interested party. Under the bill, the parent, guardian, or legal custodian may waive his or her right to participate in the temporary physical custody hearing. After a waiver, a rehearing must be granted at the request of the parent, guardian, legal custodian, or any other interested party for good cause shown.

Consent Decrees

Under current law, at any time after a CHIPS petition is filed, but before the entry of a final judgment, the judge or juvenile court commissioner may suspend the proceedings and place the child under supervision in the home or the present placement of the child. This is called a "consent decree" and must be agreed upon by all of the parties.

Under the bill, if the child is placed outside the home at the time the parties enter into the consent decree and if the consent decree maintains that placement, the consent decree must include the finding that placement of the child in his or her home would be contrary to the welfare of the child. The consent decree must also include a finding that reasonable efforts to return the child to his or her home have been made, unless such a finding is not required.

Change in Placement

Under current law, the person or agency primarily responsible for implementing the dispositional order, the district attorney (DA), or the corporation counsel may request a change in the placement of the child, whether or not the change requested is authorized in the dispositional order. The child, the parent, guardian or legal custodian of the child or any person or agency primarily bound by the dispositional order, other than the person or agency responsible for implementing the order, may also request a change in placement. Finally, the court may propose a change in placement on its own motion.

If a hearing is held on a change in placement request that would place the child outside the home in a placement recommended by the person or agency primarily responsible for implementing the dispositional order, the change in placement order must include a statement that the court approves the placement recommended or, if the child is placed outside the home in a placement other than a placement recommended by that person or agency, a statement that the court has given bona fide consideration to the recommendations made by that person or agency and all parties relating to the child's placement.

Under the bill, if a proposed change in placement would change the placement of a child placed in the home to a placement outside the home, the person or agency primarily responsible for implementing the dispositional order, the DA, or the corporation counsel must submit the request to the court. The request must contain specific information showing that continued placement of the child in his or her home would be contrary to the welfare of the child. The request must also contain specific

information showing that the agency primarily responsible for implementing the dispositional order has made reasonable efforts to prevent the removal of the child from the home, while assuring that the child's health and safety are the paramount concerns, unless reasonable efforts are not required.

The court must hold a hearing for a request to change placement of a child placed in the home to a placement outside the home. If the court changes the child's placement from a placement in the child's home to a placement outside the child's home, the change in placement order must contain the finding that continued placement of the child in his or her home would be contrary to the welfare of the child and a finding that reasonable efforts to prevent the removal of the child from the home have been made, unless not required, as described above.

Extension of Dispositional Orders

Under current law, the parent, child, guardian, legal custodian, any person or agency bound by the dispositional order, the DA or corporation counsel of the county in which the dispositional order was entered, or the court by its own motion, may request an extension of a dispositional order. A hearing must be held before the court may order an extension. At the hearing, any party may present evidence relevant to the issue of extension. The judge must make findings of fact and conclusions of law based on the evidence. The findings of fact must include a finding as to whether reasonable efforts were made by the agency primarily responsible for providing services to the child to make it possible for the child to return to his or her home, unless any circumstances that exempt the case from reasonable efforts requirement exists.

Under the bill, the court's findings of fact must include a finding as to whether reasonable efforts were made by the agency primarily responsible for providing services to the child to achieve the goal of the child's permanency plan, unless returning the child to the home is the goal and the judge finds that a circumstance under which reasonable efforts to return the child to his or her home are not required exists.

CHIPS PETITION

Current Law

Under current law, a CHIPS petition must set forth with specificity, among other information, reliable and credible information which forms the basis of the allegations necessary to invoke the jurisdiction of the court and to provide reasonable notice of the conduct or circumstances to be considered by the court together with a statement that the child is in need of supervision, services, care, or rehabilitation.

The Bill

Under the bill, if the child is being held in custody outside of his or her home at the time the petition is filed, the petition must set forth reliable and credible information showing that continued placement of the child in his or her home would be contrary to the welfare of the child. In addition, unless any of the circumstances under which reasonable efforts to return a child to his or her home are not required exist, the petition must provide reliable and credible information showing that the person who took the child into custody and the intake worker have made reasonable efforts to prevent the

removal of the child from the home, while assuring that the child's health and safety are the paramount concerns, and to make it possible for the child to return home.

DELAYS, CONTINUANCES AND EXTENSIONS

Current Law

Under current law, specified time periods are excluded in computing time requirements for proceedings under the Children's Code. In addition, the court may grant a continuance upon a showing of good cause.

The Bill

Under the bill, no continuance of a time limit specified in the Children's Code may be granted and no period of delay may be excluded in computing a time limit if, as a result of the continuance, extension or exclusion, the time limits for the court to make a finding that reasonable efforts have been made to prevent the removal of the child from the home, an initial finding that those efforts are not required, or an initial finding that the agency primarily responsible for providing services to the child has made reasonable efforts to achieve the goals of the permanency plan would be exceeded.

The bill specifies that failure to comply with either of the above time limits does not deprive the court of jurisdiction or of competency to exercise that jurisdiction. If a party does not comply with one of the above time limits, however, the court may, while assuring the safety of the child, dismiss the proceeding with or without prejudice, release the child from custody, or grant any other relief that the court considers appropriate.

PERMANENCY PLANS

Current Law

Under current law, for each child living outside his or her home in a licensed facility (e.g., a foster home), the agency that placed the child or arranged the placement or the agency assigned primary responsibility for providing services to the child must prepare a written permanency plan if one of the following conditions exists:

1. The child is being held in temporary physical custody.
2. The child is in the legal custody of the agency.
3. The child is under the supervision of an agency under a court order.
4. The child is in the out-of-home placement under a voluntary agreement between the agency and the child's parent.
5. The child is under the guardianship of the agency.
6. The child meets the requirements for aid under the former Aid to Families with Dependent Children Program.

The agency must file the permanency plan with the court within 60 days after the date on which the child was first held in physical custody or placed outside of his or her home under a court order.

The permanency plan must include a description of all of the following:

1. The services offered and any service provided in an effort to prevent holding or placing the child outside of his or her home, while assuring that the health and safety of the child are the paramount concerns, and to make it possible for the child to return safely home. The permanency plan need not include a description of those services offered or provided with respect to a parent of the child if there are circumstances under which reasonable efforts to return a child to his or her home are not required.
2. The basis for the decision to hold the child in custody or to place the child outside of his or her home.
3. The availability of a safe and appropriate placement with a relative of the child and, if a decision is made not to place the child with an available relative, why placement with the relative is not safe or appropriate.
4. The location and type of facility in which the child is currently held or placed, and the location and type of facility in which the child will be placed.
5. If the child is living more than 60 miles from his or her home, documentation that placement within 60 miles of the child's home is either unavailable or inappropriate or that the placement is in the child's best interest.
6. The safety and appropriateness of the placement and of the services provided to meet the needs of the child and family.
7. The services that will be provided to the child, the child's family and the child's foster parent, treatment foster parent or the operator of the facility where the child is living to carry out the dispositional order.
8. If the permanency plan calls for placing the child for adoption, with a guardian or in some other alternative permanent placement, the efforts made to do so.
9. The conditions, if any, upon which the child will be returned safely to his or her home, including any changes in the parents' conduct or the nature of the home.

The Bill

Under the bill, a permanency plan must also be prepared for a child who is placed in the home of a relative. This requirement is phased-in through November 1, 2002. In addition, permanency plans must be prepared for a child who is in an out-of-home placement under a consent decree.

Under the bill, the agency must file the permanency plan with the court within 60 days after the date on which the child was first removed from his or her home.

The bill modifies what must be included in the permanency plan so that, in addition to what is required under current law, the following must be included in the plan:

1. A description of the services offered and any services provided to achieve the goal of the permanency plan, which may or may not be returning the child to his or her home.
2. The name, address, and telephone number of the child's parent, guardian, and legal custodian.
3. The date on which the child was removed from his or her home and the date on which the child was placed in out-of-home care.
4. A statement as to the availability of a safe and appropriate placement with a *fit and willing* relative.
5. Information about the child's education, including all of the following:
 - a. The name and address of the school in which the child is or was most recently enrolled.
 - b. Any special education programs in which the child is or was previously enrolled.
 - c. The grade level in which the child is or was most recently enrolled and all information that is available concerning the child's grade level performance.
 - d. A summary of all available education records relating to the child that are relevant to any education goals included in the education services plan prepared for the report to the court prior to disposition.
6. If, as a result of the placement, the child has been or will be transferred from the school in which the child is or most recently was enrolled, documentation that a placement that would maintain the child in that school is either unavailable or inappropriate or that a placement that would result in the child's transfer to another school would be in the child's best interests.
7. Medical information relating to the child, including all of the following:
 - a. The names and addresses of the child's physician, dentist, and any other health care provider.
 - b. The child's immunization record.
 - c. Any known medical condition for which the child is receiving medical care or treatment and any known serious medical condition for which the child has previously received medical care or treatment.
 - d. Any medication that is being administered to the child and any medication that causes the child to suffer an allergic or other negative reaction.
8. A plan for ensuring the safety and appropriateness of the placement.

9. The goal of the permanency plan or, if the agency is making cocurrent reasonable efforts to return the child to the home and to find a permanent placement for the child, the goals of the permanency plan. If a goal of the permanency plan is any goal other than returning the child to his or her home, the permanency plan must include the rationale for deciding on that goal. If a goal of the permanency plan is an alternative placement, listed under item e., below, the permanency plan must document a compelling reason why it would not be in the best interest of the child to pursue a goal listed in items a. to d., below. The agency must determine one or more of the following goals to be the goal or goals of the permanency plan:
 - a. Return of the child to the child's home.
 - b. Placement of the child for adoption.
 - c. Placement of the child with a guardian.
 - d. Permanent placement of the child with a fit and willing relative (other than adoption by or under the guardianship of a relative).
 - e. Some other alternative permanent placement, including sustaining care, independent living, or long-term foster care.
10. If the goal of the permanency plan is to place the child for adoption, with a guardian, with a fit and willing relative, or in some other alternative permanent placement, the efforts made to achieve that goal.
11. If the child is 15 years old or older, a description of programs and services that are or will be provided to assist the child in preparing for the transition from out-of-home care to independent living. The description must include all of the following:
 - a. The anticipated age at which the child will be discharged from out-of-home care.
 - b. The anticipated amount of time available in which to prepare the child for the transition from out-of-home care to independent living.
 - c. The anticipated location and living situation of the child on discharge from out-of-home care.
 - d. A description of the assessment processes, tools, and methods that have been or will be used to determine the programs and services that are or will be provided to assist the child in preparing for the transition from out-of-home care to independent living.
 - e. The rationale for each program or service that is or will be provided to assist the child in preparing for the transition from out-of-home care to independent living, the time frames for delivering those programs or services, and the intended outcome of those programs or services.

PERMANENCY PLAN REVIEWS

Current Law

Under current law, the court or a panel appointed by the court must review a permanency plan every six months from the date on which the child was first held in physical custody or placed outside of his or her home. If the court elects not to review the permanency plan, the court must appoint a panel to review the plan. The panel must consist of three persons who are either designated by an independent child welfare agency that has been approved by the chief judge of the judicial administrative district or designated by the child welfare agency that prepared the permanency plan.

The court or the panel must determine each of the following:

1. The continuing necessity for and the safety and appropriateness of the placement.
2. The extent of compliance with the permanency plan by the agency and any other service providers, the child's parents, the child and the child's guardian, if any.
3. The extent of any efforts to involve appropriate service providers in addition to the agency's staff in planning to meet the special needs of the child and the child's parents.
4. The progress toward eliminating the causes for the child's placement outside of his or her home and toward returning the child safely to his or her home or obtaining permanent placement for the child.
5. The date by which it is likely that the child will be returned to his or her home or placed for adoption, with a guardian or in some other alternative permanent placement for the child.
6. If the child has been placed outside of his or her home for 15 of the most recent 22 months, the appropriateness of the permanency plan and the circumstances which prevent the child from any of the following:
 - a. Being returned safely to his or her home.
 - b. Being placed in the home of a relative of the child.
 - c. Having a petition for the involuntary termination of parental rights (TPR) filed on behalf of the child.
 - d. Being placed for adoption.
 - e. Being placed in sustaining care.
7. Whether reasonable efforts were made by the agency to make it possible for the child to return safely to his or her home, except that the court or panel need not determine whether those reasonable efforts were made with respect to a parent of the child if any of the circumstances that under which reasonable efforts to return the child to his or her home are not required applies to that parent.

The Bill

Under the bill, the court or a panel appointed by the court must review the permanency plan not later than six months after the date on which the child was first removed from his or her home and every six months after a previous review for as long as the child is placed outside the home. However, for the review that is required to be conducted not later than 12 months after the child was first removed from his or her home (i.e., the second review) and the reviews that are required to be conducted every 12 months after that review, the court must hold a hearing on the permanency plan. This hearing may be held in place of a review or in addition to a review.

As noted above, the court must hold a permanency plan hearing no later than 12 months after the date on which the child was first removed from his or her home and every 12 months thereafter for as long as the child is placed outside the home. At the permanency plan hearing, the court is required to make written findings of fact and conclusions of law relating to the determinations required under the permanency plan review, as described above. If these findings and conclusions conflict with the child's dispositional order or provide for any additional services not specified in the dispositional order, the court must revise the order or order a change in placement, as appropriate.

The bill also modifies some of the determinations that must be made at a permanency plan review or hearing. For determining that a child has been placed outside of his or her home for 15 of the most recent 22 months, the bill provides that this time period does not include any period during which the child was a runaway from the out-of-home placement or the child was returned to his or her home for a trial visit of six months or less. For these children, the court or panel must determine the appropriateness of the permanency plan and the circumstances which prevent the child from any of the following:

1. Being returned safely to his or her home.
2. Being placed with a guardian.
3. Being placed with a fit and willing relative.
4. Having a TPR petition filed on behalf of the child.
5. Being placed for adoption.
6. Being placed in some other alternative permanent placement, including sustaining care, independent living, or long-term foster care.

In addition, the court or panel must determine whether the agency has made reasonable efforts to achieve the goal of the permanency plan, as required.

TERMINATION OF DISPOSITIONAL ORDERS

Current Law

Under current law, dispositional orders, and extensions or revisions to a dispositional order, terminate at the end of one year, unless the judge specifies a shorter period of time.

The Bill

Under the bill, dispositional orders, and extensions or revisions to a dispositional order, made before the child reaches 18 years of age that place or continue the placement of a child in his or her home terminate at the end of one year after entry of the order, unless the judge specifies a shorter period of time or terminates the order sooner. An order or an extension or revision of an order made before the child reaches 18 years of age that places or continues placement of the child in an out-of-home placement terminates when the child reaches 18 years of age, at the end of one year after entry of the order or, if the child is a full-time student at a secondary school or its vocational or technical equivalent and is reasonably expected to complete the program before reaching age 19, when the child reaches age 19, whichever is later, unless the judge specifies a shorter period of time or terminates the order sooner.

PETITION OF INVOLUNTARY TPR

Current Law

Under current law, an agency or the DA or corporation counsel must file a TPR petition, or must join a TPR petition that has already been filed, if any of the following conditions exist:

1. The child has been placed outside of his or her home for 15 of the most recent 22 months.
2. A court has found that the child was abandoned when he or she was under one year of age.
3. A court has found that the parent has committed, has aided or abetted the commission of, or has solicited, conspired, or attempted to commit first- or second-degree intentional homicide, first-degree reckless homicide or felony murder and that the victim of the homicide is a child of the parent.
4. The parent has committed substantial battery, first- or second-degree sexual assault, first- or second-degree sexual assault of a child, engaging in repeated acts of sexual assault of the same child, or intentionally or recklessly causing great bodily harm to a child if the violation resulted in great or substantial bodily harm to the child or another child of the parent.

However, an agency or the DA or corporation counsel need not file or join a TPR petition if any of the following circumstances apply:

1. The child is being cared for by a relative.
2. The child's permanency plan indicates that TPR is not in the best interests of the child.
3. The agency primarily responsible for providing services to the child and the family under a court order has not, if so required, provided the family of the child, consistent with the time period in the permanency plan, the services necessary for the safe return of the child to his or her home.

The Bill

Under the bill, in determining that a child has been placed outside of his or her home for 15 of the most recent 22 months, the bill provides that the time period does not include any period during which the child was a runaway from the out-of-home placement or the child was returned to his or her home for a trial visit of six months or less.

Under circumstances under which an agency, DA or corporation counsel is required to file or join in a TPR petition because the child has been placed outside the home for 15 of the most recent 22 months, the bill requires the petition to be filed or joined in by the last day of the 15th month for which the child was placed outside the home. For the provision relating to child abandonment, the petition must be filed or joined in within 60 days after the date on which a court of competent jurisdiction finds that the child was abandoned. For the crimes committed against a child of the parent, the petition must be filed or joined within 60 days after the date on which the juvenile court determines that reasonable efforts to make it possible for the child to return safely to his or her home are not required.

Under the bill, an agency or the DA or corporation counsel need not file or join a TPR petition if any of the following circumstances apply:

1. The child is being cared for by a fit and willing relative.
2. The child's permanency plan indicates and provides documentation that TPR is not in the best interests of the child.
3. The agency primarily responsible for providing services to the child and the family under a court order has not, if so required, provided the family of the child, consistent with the time period in the permanency plan, the services necessary for the safe return of the child to his or her home.
4. Grounds for involuntary TPR do not exist.

FOSTER HOME LICENSES

Current Law

Under current law, persons applying for a license be a caregiver are generally required to submit to a criminal background check. Generally, a person may not be granted a foster home license if he or she has been convicted of a serious crime unless the person can demonstrate that he or she has been rehabilitated. However, for purposes of licensing a foster home or treatment foster home, there are specified offenses for which a person is not permitted to demonstrate rehabilitation. These offenses include any drug offense (i.e., an offense under ch. 961, Stats.) that is a felony, if committed not more than five years before the date of the background check.

The Bill

Under the bill, a person is not permitted to demonstrate rehabilitation for purposes of receiving a foster home or treatment foster home license if he or she has been convicted of any of the following alcohol-related felony offenses not more than five years before the date of the background check:

1. Procuring alcohol beverages for or selling, dispensing, or giving away alcohol beverages to a minor if the person knew or should have known that the person was under the legal drinking age and the underage person dies or suffers great bodily harm as a result of consuming the alcohol beverages provided.
2. Making, altering, or duplicating an official identification card; providing an official identification card to an underage person; or knowingly providing other documentation to an underage person purporting to show that the underage person has attained the legal drinking age for money or other consideration.
3. Impersonating an inspector, agent, or other employee of the Department of Revenue or the Department of Justice to commit, or abet the commission of, a crime.
4. Manufacturing or rectifying intoxicating liquor without holding appropriate permits, or selling such liquor.
5. Recovering any alcohol or alcoholic liquid from denatured alcohol by any process or using, selling, concealing, or disposing of any alcohol or alcoholic liquid derived from denatured alcohol.
6. Homicide by intoxicated use of a vehicle or firearm.
7. Injury by intoxicated use of a vehicle.
8. Any felony offense relating to operating a vehicle under the influence of an intoxicant or other drug.

If you have any questions or would like further information on this topic, please feel free to contact me at the Legislative Council Staff offices.

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