

1.1 moves to amend H.F. No. 1966 as follows:

1.2 Page 4, delete section 4, and insert:

1.3 "Sec. 4. Minnesota Statutes 2012, section 260C.215, is amended by adding a
1.4 subdivision to read:

1.5 **Subd. 9. Preventing exposure to secondhand smoke for children in foster care.**

1.6 (a) A child in foster care shall not be exposed to any type of secondhand smoke in the
1.7 following settings:

1.8 (1) a licensed foster home or any enclosed space connected to the home, including a
1.9 garage, porch, deck, or similar space; or

1.10 (2) a motor vehicle in which a foster child is transported.

1.11 (b) Smoking in outdoor areas on the premises of the home is permitted, except when
1.12 a foster child is present and exposed to secondhand smoke.

1.13 (c) The home study required in subdivision 4, clause (5), must include a plan to
1.14 maintain a smoke-free environment for foster children.

1.15 (d) If a foster parent fails to provide a smoke-free environment for a foster child, the
1.16 child-placing agency must ask the foster parent to comply with a plan that includes training
1.17 on the health risks of exposure to secondhand smoke. If the agency determines that the
1.18 foster parent is unable to provide a smoke-free environment and that the home environment
1.19 constitutes a health risk to a foster child, the agency must reassess whether the placement
1.20 is based on the child's best interests consistent with section 260C.212, subdivision 2.

1.21 (e) Nothing in this subdivision shall delay the placement of a child with a relative,
1.22 consistent with section 245A.035, unless the relative is unable to provide for the
1.23 immediate health needs of the individual child.

1.24 (f) Nothing in this subdivision shall enable an agency to deny the placement of a
1.25 child in a home that otherwise meets the child's best interests, consistent with section
1.26 260C.212, subdivision 2.

- 2.1 (g) Nothing in this subdivision shall be interpreted to interfere with traditional or
- 2.2 spiritual Native American or religious ceremonies involving the use of tobacco."