

VIRGINIA ACTS OF ASSEMBLY -- 2001 SESSION

CHAPTER 236

An Act to amend and reenact § 63.1-219.50 of the Code of Virginia, relating to adult adoption.

[H 1660]

Approved March 14, 2001

Be it enacted by the General Assembly of Virginia:

1. That § 63.1-219.50 of the Code of Virginia is amended and reenacted as follows:

§ 63.1-219.50. Adoption of certain persons eighteen years of age or over.

A petition may be filed in circuit court by any natural person who is a resident of this Commonwealth: (i) for the adoption of a stepchild eighteen years of age or over to whom he has stood in loco parentis for a period of at least three months; or (ii) for the adoption of a niece or nephew over eighteen years of age who has no living parents and who has lived in the home of the petitioner for at least three months; or (iii) for the adoption of any person eighteen years of age or over who is the birth child of the petitioner or who had resided in the home of the petitioner for a period of at least three months prior to becoming eighteen years of age; or (iv) for the adoption of any person eighteen years of age or older, for good cause shown, provided that the person to be adopted is at least fifteen years younger than the petitioner and the petitioner and the person to be adopted have known each other for at least five years prior to the filing of the petition for adoption, and provided further that both the petitioner and the person to be adopted have been residents of the Commonwealth ~~during the five-year period when they knew each other~~ *for at least two years immediately prior to the filing of the petition.* Proceedings in any such case shall conform as near as may be to proceedings for the adoption of a minor child under this chapter except that:

(a) No consent of either parent shall be required; and

(b) The consent of the person to be adopted shall be required in all cases.

Any interlocutory or final order issued in any case under this section shall have the same effect as other orders issued under this chapter; and in any such case the word "child" in any other section of this chapter shall be construed to refer to the person whose adoption is petitioned for under this section. The entry of a final order of adoption pursuant to this section which incorporates a change of name shall be deemed to meet the requirements of § 8.01-217.

The provisions of this section shall apply to any person who would have been eligible for adoption hereunder prior to July 1, 1972.