

Department of Planning and Budget 2009 Fiscal Impact Statement

1. Bill Number: HB 2159

House of Origin	<input type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input checked="" type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Enrolled

2. Patron: Toscano, David J.

3. Committee: Rehabilitation and Social Services

4. Title: Adoption of a child; amends statutes governing

5. Summary: Amends statutes governing adoption of a child to provide that (i) where any provision of the statutes governing adoption apply to only one adoptive parent, the court may waive the application of the procedural provision for the spouse of the adoptive parent to whom the provision applies; (ii) payment of child support shall in the absence of any other contact with the child not constitute contact for the purpose of determining whether a parent has abandoned a child; (iii) a court may grant a petition for adoption in the absence of consent by a parent upon filing of a death certificate for that parent; (iv) parental consent to an entrustment agreement shall be revocable prior to entry of a final order of adoption upon proof of fraud or duress, or upon the consent of the birth parents and adoptive parents or child-placing agency; (v) for purposes of consenting to an adoption, an affidavit signed by the birth mother stating that the identity of the birth father is unknown and not reasonably ascertainable shall be sufficient to establish that the identity of the father is not known; (vi) where the identity of the birth father is reasonably ascertainable but the whereabouts of the birth father are not reasonably ascertainable, verification of compliance with the requirements of the Putative Father Registry shall be provided to the court; (vii) where a child has been placed under the physical custody and care of the prospective adoptive parents and the birth parent or parents fail to appear at the hearing to execute consent, the court may grant the petition without the consent of the parents; and (viii) where a putative father's identity and whereabouts are reasonably ascertainable, notice of the existence of an adoption plan and the availability of registration with the Putative Father Registry shall be mailed to the putative birth father by certified mail either before or after the birth of the child.

6. No Fiscal Impact

7. Budget Amendment Necessary: No

8. Fiscal Implications: None

9. Specific Agency or Political Subdivisions Affected:
Department of Social Services

10. Technical Amendment Necessary: No

11. Other Comments: None

Date: 2/11/2009

Document: G:\2009 Fiscal Year\EFIS\HB2159h1.Doc

cc: Secretary of Health and Human Resources