

Department of Planning and Budget

2018 Fiscal Impact Statement

1. Bill Number: HB418-ER

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

2. Patron: Carroll Foy

3. Committee: Passed Both Houses

4. Title: Adoption by foster parent.

5. Summary: Directs a circuit court to accept a petition for adoption filed by the child's foster parent and to order a thorough investigation if (i) the child-placing agency holding custody of the child consents to the adoption after the child has resided in the home of such foster parent continuously for at least six months and (ii) the birth parents' rights to the child have been terminated. Current law requires a circuit court to accept such petition in such circumstances only after the child has resided in the home of such foster parent continuously for at least 18 months. The bill provides that after the child has resided in the home of the foster parent continuously for at least 18 months, the consent of the child-placing agency holding custody of the child is no longer needed in order to require the court to accept the petition and order an investigation. The bill contains an emergency clause.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: See Item 8.

8. Fiscal Implications: This bill does not have a fiscal impact. The added language clarifies that a child must reside with the foster parent continuously for at least 6 months when the child-placing agency agrees with the adoption and at least 18 months when the child-placing agency objects to the adoption, before that child may be adopted by the foster parent.

9. Specific Agency or Political Subdivisions Affected: Department of Social Services, local departments of social services, Circuit Courts

10. Technical Amendment Necessary: No.

11. Other Comments: This bill clarifies language in the Code of Virginia as a result of a finding by the Richmond Circuit Court. The legislation brings Code sections in line with each other and with long-term practice.