

LD1019324

HOUSE BILL NO. 1413

Offered February 1, 1994

A *BILL to amend the Code of Virginia by adding sections numbered 63.1-220.6, 63.1-220.7 and 63.1-220.8, relating to adoption; penalty.*

Patrons—Marshall and O'Brien

Unanimous consent to introduce

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding sections numbered 63.1-220.6, 63.1-220.7 and 63.1-220.8, as follows:

§ 63.1-220.6. *Revocation of entrustment, consent, request for return of custody; best interests hearing.*

In any case where the birth parent(s) revoke an entrustment agreement under § 63.1-220.3, any party may request a hearing in the court having jurisdiction over adoptions to determine the best interests of the child.

§ 63.1-220.7 *Elimination of parental presumption.*

There shall be no legal presumption in favor of the birth parent(s) of any child in a hearing to determine the best interests of the child under this chapter, when (i) the child has been placed by either birth parent(s) with prospective adoptive parents, a licensed child placing agency or local board of social services for the purpose of adoption; and (ii) the child has remained continuously in the custody of the adoptive parents, a licensed child placing agency or local board for a period in excess of twenty-five days.

§ 63.1-220.8. *False or misleading reporting of information; penalty.*

Any person who knowingly and intentionally provides false or misleading information which is material to an adoptive placement to any licensed child-placing agency, local board of social services or to any other person shall be guilty of a Class 5 felony. The Commissioner is authorized to investigate such cases and may refer the case to the Commonwealth's attorney for prosecution.

2. That the provisions of this act may result in a net increase in periods of imprisonment in state correctional facilities. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$0.00.

INTRODUCED

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