

VIRGINIA ACTS OF ASSEMBLY -- 2018 SESSION

CHAPTER 94

An Act to amend and reenact § 63.2-1229 of the Code of Virginia, relating to adoption by foster parent.

[H 418]

Approved March 2, 2018

Be it enacted by the General Assembly of Virginia:

1. That § 63.2-1229 of the Code of Virginia is amended and reenacted as follows:

§ 63.2-1229. Foster parent adoption.

When a foster parent who has a child placed in the foster parents' home by a licensed or duly authorized child-placing agency desires to adopt the child and (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 or the child-placing agency holding custody of the child does not consent to the adoption and the* child has resided in the home of such foster parent continuously for at least ~~eighteen~~ 18 months and (ii) the birth parents' rights to the child have been terminated, the circuit court shall accept the petition filed by the foster parent and shall order a thorough investigation of the matter to be made pursuant to § 63.2-1208. The circuit court may refer the matter for investigation to a licensed or duly authorized child-placing agency other than the agency holding custody of the child. Upon completion of the investigation and report and filing of the consent of the agency holding custody of the child, or upon the finding contemplated by § 63.2-1205, the circuit court may enter a final order of adoption waiving visitation requirements, if the circuit court determines that the adoption is in the best interests of the child.

2. That an emergency exists and this act is in force from its passage.