



HOUSE BILL 776: Adoption Law Changes.

2017-2018 General Assembly

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| Committee: | House Judiciary III | Date: | April 25, 2017 |
| Introduced by: | Reps. Jordan, Rogers, Stevens, Duane Hall | Prepared by: | Tawanda N. Foster Staff Attorney |
| Analysis of: | First Edition | | |

OVERVIEW: *House Bill 776 amends various provisions under the laws governing adoptions.*

CURRENT LAW: Chapter 48 of the General Statutes provides laws governing the process for adoptions and structures services to adopted children, biological parents, and adoptive parents that protect the interests of all parties to an adoption.

BILL ANALYSIS: This bill amends various provisions in Chapter 48 of the General Statutes governing adoptions.

Section 1.1 amends the methods permitted to identify a minor parent who consents to an adoption. This section also adds an additional subsection that allows a minor parent or adoptee to be identified through an affidavit submitted to an individual authorized to administer oaths or take acknowledgements by an adult relative of the minor, a teacher, a social worker employed by an agency or a county department of social services, a health service provider, or, if none of the foregoing persons to whom the minor does not object is available, an adult who has known the minor for more than two years.

Section 2.1 makes a technical correction to provisions regarding married couples who adopt children from other jurisdictions and adds a provision for how to readopt in North Carolina if one person dies before the petition for readoption is filed.

Section 2.2 makes a technical correction and clarifies provisions for who may file a petition when the persons are unmarried and adds a provision for how to readopt in North Carolina if one person dies before the petition for readoption is filed.

Section 3.1 makes a clarifying change to how a newborn baby's name may be recorded in the written consent to the adoption.

Section 3.2 makes a clarifying change to how a newborn baby's name may be recorded in the written relinquishment executed by a parent or guardian.

Section 4.1 adds a new subsection to allow a prospective adoptive parent to apply ex parte to a clerk of superior court for an order that would allow them to obtain a certified copy of the child's birth certificate, a social security number, or federal and State benefits for the minor.

Section 4.2 adds a new subsection to allow an agency or county department of social services to whom a minor was relinquished to apply ex parte to a clerk of superior court for an order that would allow them to obtain a certified copy of the child's birth certificate, a social security number, or federal and State benefits for the minor.

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Section 5.1 adds provisions related to notice of service by publication/pre-birth determinations when the identity or whereabouts of a biological father are unknown.

Section 6.1 adds a new subsection to provide no summons is required for a parent whose name or identity is unknown and is served by publication.

Section 7.1 makes a technical correction and clarifies the requirements of service by publication if the parent or guardian placing the child for adoption and the adopting parent have each consented to the release of identifying information.

Section 8.1 adds a new subdivision to G.S. 48-3-303(c) to allow the most recent amended or updated preplacement assessment including subsequent amendments or partial updates completed as of the time of delivery to constitute the preplacement assessment for the purposes of this section.

EFFECTIVE DATE: This bill would become effective October 1, 2017.