

62A-4a-205.5 Prohibition of discrimination based on race, color, or ethnicity.

- (1) As used in this section, "adoptable children" means children:
 - (a) who are in the custody of the division; and
 - (b)
 - (i) who have permanency goals of adoption; or
 - (ii) for whom a final plan for pursuing termination of parental rights has been approved in accordance with Section 78A-6-314.
- (2) Except as required under the Indian Child Welfare Act, 25 U.S.C. Secs. 1901-1963, the division may not base its decision for placement of adoptable children on the race, color, ethnicity, or national origin of either the child or the prospective adoptive parents.
- (3) The basis of a decision for placement of an adoptable child shall be the best interest of the child.

Amended by Chapter 237, 2010 General Session