

ADOPTION LAW REVISIONS

2004 GENERAL SESSION

STATE OF UTAH

Sponsor: Rosalind J. McGee

LONG TITLE

General Description:

This bill amends provisions regarding reporting requirements for child placing agencies.

Highlighted Provisions:

This bill:

► requires a child placing agency to provide to the Office of Licensing within the Department of Human Services an accounting for:

- fees and expenses in connection with private adoptions; and
- the state of residence for the birth mother and the adoptive parent or parents.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

78-30-15.5, as last amended by Chapter 174, Laws of Utah 1997

ENACTS:

62A-2-123, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **62A-2-123** is enacted to read:



28 **62A-2-123. Licensure of child placing agencies -- Itemization of fees and expenses.**

29 A child placing agency licensed under this part shall provide the office with a copy of
30 the affidavit regarding fees and expenses, signed by the adoptive parent or parents and the
31 person or agent placing the child required by Section 78-30-15.5. That affidavit shall itemize
32 the following items in connection with the adoption:

33 (1) fees paid, including:

34 (a) Medicaid funds used for the costs associated with the pregnancy and delivery of the
35 child; and

36 (b) fees paid by the adoptive parent or parents in connection with the delivery and
37 adoption;

38 (2) items exchanged;

39 (3) state of residence for the:

40 (a) birth mother; and

41 (b) the adoptive parent or parents;

42 (4) services rendered; and

43 (5) that the requirements of Section 76-7-203 have been complied with.

44 Section 2. Section **78-30-15.5** is amended to read:

45 **78-30-15.5. Itemization of fees and expenses.**

46 (1) Prior to the date that a final decree of adoption is entered, an affidavit regarding
47 fees and expenses, signed by the adoptive parent or parents and the person or agent placing the
48 child, shall be filed with the court. That affidavit shall itemize [~~all fees paid, items exchanged,~~
49 ~~and services rendered in connection with the adoption and shall state]~~ the following items in
50 connection with the adoption:

51 (a) fees paid, including:

52 (i) Medicaid funds used for the costs associated with the pregnancy and delivery of the
53 child; and

54 (ii) fees paid by the adoptive parent or parents in connection with the delivery and
55 adoption;

56 (b) items exchanged;

57 (c) state of residence for the:

58 (i) birth mother; and

- 59 (ii) the adoptive parent or parents;
- 60 (d) services rendered; and
- 61 (e) that the requirements of Section 76-7-203 have been complied with.
- 62 (2) A copy of this affidavit shall be provided to the Office of Licensing within the
- 63 Department of Human Services pursuant to Section 62A-2-123.
- 64 [~~2~~] (3) This section does not apply if the adoptive parent is the legal spouse of the
- 65 birth parent.

Legislative Review Note
as of 2-13-04 10:47 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0276

Adoption Law Revisions

19-Feb-04

5:29 PM

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst