

**Representative Rosalind J. McGee** proposes the following substitute bill:

**ADOPTION LAW REVISIONS**

2004 GENERAL SESSION

STATE OF UTAH

**Sponsor: Rosalind J. McGee**

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**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

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

27 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) funds used for the costs associated with the pregnancy and delivery of the child; and

35 (b) fees paid by the adoptive parent or parents in connection with the delivery and

36 adoption;

37 (2) items exchanged;

38 (3) state of residence for the:

39 (a) birth mother; and

40 (b) the adoptive parent or parents;

41 (4) services rendered; and

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

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

44 **78-30-15.5. Itemization of fees and expenses.**

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

50 (a) all legal expenses, maternity expenses, medical or hospital expenses, and living  
51 expenses which have been or will be paid to or on behalf of the birth mother or biological  
52 father, including the source of payment;

53 (b) fees paid by the prospective adoptive parent or parents in connection with the  
54 adoption;

55 (c) all gifts, property, or other items which have been or will be provided to the birth  
56 mother or biological father, including the source of the gifts, property, or other items;

57           (d) all public funds used for any medical or hospital costs in connection with the  
58 pregnancy and delivery of the child or care of the child;

59           (e) the state of residence of the prospective adoptive parent or parents;

60           (f) a description of services provided to the prospective adoptive parent or parents or  
61 biological parents in connection with the adoption; and

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

63           (2) A copy of this affidavit shall be provided to the Office of Licensing within the  
64 Department of Human Services pursuant to Section 62A-2-123.

65           ~~(2)~~ (3) This section does not apply if the adoptive parent is the legal spouse of the  
66 birth parent.