

1st Sub. H.B. 275
ADOPTION AMENDMENTS

Representative **Ann W. Hardy** proposes the following amendments:

1. Page 14, Line 424 through Page 15, Line 450:

424 ~~[[(3) An unmarried, biological father who resides in another state shall be presumed to~~
425 ~~know of, and must strictly comply with, the requirements of this section, unless he proves the~~
426 ~~following:~~
427 ~~— (a) he was not a resident of this state at the time the mother executed her consent for~~
428 ~~adoption or relinquished the child to a licensed child-placing agency;~~
429 ~~— (b) the child was not conceived in this state;~~
430 ~~— (c) he attempted, through every reasonable means, to locate the mother or child, but did~~
431 ~~not know or have reason to know prior to the time the mother executed her consent for~~
432 ~~adoption or relinquished the child to a licensed child-placing agency, that the mother or child~~
433 ~~was located in this state; and~~
434 ~~— (d) he manifested a full commitment to his parental responsibilities as follows:~~
435 ~~— (i) he complied with the requirements of Subsections (2)(b)(i) and (ii):~~
436 ~~— (A) prior to the time the mother executed a consent for adoption or relinquished the~~
437 ~~child to a licensed child placing agency; or~~
438 ~~— (B) within a reasonable time from the date he knew, or through the exercise of~~
439 ~~reasonable diligence should have known, that the mother or child was located in this state;~~
440 ~~— (ii) he attempted, through every reasonable means, to locate the mother or child but he~~
441 ~~did not know or have reason to know prior to the time the mother executed her consent for~~
442 ~~adoption or relinquished the child to a licensed child-placing agency, that the mother or child~~
443 ~~was located in this state; and~~
444 ~~— (A) he complied with the most stringent and complete requirements of the state where~~
445 ~~the mother resided immediately before coming to this state, in order to protect and preserve his~~
446 ~~parental interest and his rights in the child in cases of adoption; or~~
447 ~~— (B) if he did not know or have reason to know where the mother resided immediately~~
448 ~~before coming to this state, he complied with the most stringent and complete requirements of~~
449 ~~the state where the child was conceived, in order to protect and preserve his parental interest~~
450 ~~and his rights in the child in cases of adoption.]]~~

2. Page 15, Lines 451 through 452:

451 ~~[[+]] (3) [[+]]~~ ~~[[(-4)]]~~ An unmarried, biological father whose consent is required under
Subsection

452 (1) ~~[[+]] or [[+]]~~ ~~[[,]]~~ (2) ~~[[, or (3)]]~~ may nevertheless lose his right to consent if the court
determines, in

3. Page 15, Line 456:

456 ~~[[+]]~~ (4) ~~[[+]]~~ ~~[[~~(5)~~]]~~ If there is no showing that an unmarried, biological father has
consented to or

4. Page 16, Line 464:

464 ~~[[+]]~~ (5) ~~[[+]]~~ ~~[[~~(6)~~]]~~ An unmarried, biological father who does not fully and strictly comply
with

5. Page 16, Line 488 through Page 17, Line 503:

488 ~~[[+]]~~ (4) **The Legislature finds that an unmarried biological father who resides in another**
489 **state may not, in every circumstance, be reasonably presumed to know of, and strictly comply**
490 **with, the requirements of this chapter. Therefore when all of the following requirements have**
491 **been met, that unmarried biological father may contest an adoption, prior to finalization of the**
492 **decree of adoption, and assert his interest in the child; the court may then, in its discretion,**
493 **proceed with an evidentiary hearing under Subsection 78-30-4.16(2):]**

494 **[(a) the unmarried biological father resides and has resided in another state where the**
495 **unmarried mother was also located or resided;]**

496 **[(b) the mother left that state without notifying or informing the unmarried biological**
497 **father that she could be located in the state of Utah;]**

498 **[(c) the unmarried biological father has, through every reasonable means, attempted to**
499 **locate the mother but does not know or have reason to know that the mother is residing in the**
500 **state of Utah; and]**

501 **[(d) the unmarried biological father has complied with the most stringent and complete**
502 **requirements of the state where the mother previously resided or was located, in order to**
503 **protect and preserve his parental interest and right in the child in cases of adoption. ~~[[+]]~~**