

**ADOPTION LAW REVISIONS**

2005 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Rosalind J. McGee**

Senate Sponsor: Patrice M. Arent

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**LONG TITLE**

**General Description:**

This bill amends provisions relating to reporting requirements for child placing agencies.

**Highlighted Provisions:**

This bill:

- ▶ requires that the state of residence of the birth mother be included in the affidavit submitted to the court prior to finalization of an adoption; and
- ▶ makes technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**78-30-15.5**, as last amended by Chapter 192, Laws of Utah 2004

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

Section 1. Section **78-30-15.5** is amended to read:

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

(1) [~~Prior~~] Except as provided in Subsection (4), prior to the date that a final decree of adoption is entered, an affidavit regarding fees and expenses, signed by the adoptive parent or parents and the person or agency placing the child, shall be filed with the court. [~~That~~]

(2) The affidavit described in Subsection (1) shall itemize the following items in connection with the adoption:

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

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

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

(d) all public funds used for any medical or hospital costs in connection with the:

(i) pregnancy ~~[and]~~;

(ii) delivery of the child; or

(iii) care of the child;

(e) the state of residence of the:

(i) birth mother; and

(ii) prospective adoptive parent or parents;

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

(g) that ~~[the requirements of]~~ Section 76-7-203 ~~[have been complied with]~~ has not been violated.

~~[(2)]~~ (3) A copy of ~~[this]~~ the affidavit described in Subsection (1) shall be provided to the Office of Licensing within the Department of Human Services.

~~[(3)]~~ (4) This section does not apply if the adoptive parent is the legal spouse of the birth parent.