

H.B. 130

ADOPTION AMENDMENTS

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

1. *Page 1, Lines 13 through 14:*

13 { ~~→ modifies background check requirements for out-of-state prospective adoptive~~
14 ~~parents;~~ }

2. *Page 2, Line 42:*

42 { ~~78-30-3.6, as enacted by Chapter 101, Laws of Utah 2001~~ }

3. *Page 3, Line 82 through Page 4, Line 103:*

82 { ~~Section 2. Section 78-30-3.6 is amended to read:~~
83 ~~78-30-3.6. Prospective parent not a resident -- Preplacement requirements:~~
84 ~~[(1)] When an adoption petition is to be finalized in this state with regard to any~~
85 ~~prospective adoptive parent who is not a resident of this state at the time a child is placed in~~
86 ~~that person's home, the potential adoptive parent shall:~~
87 ~~[(a)] (1) comply with the provisions of Section 78-30-3.5; and~~
88 ~~(2) obtain:~~
89 ~~[(b)] (a) [submit fingerprints for] a Federal Bureau of Investigation national criminal~~
90 ~~history record check[.]; or~~
91 ~~(b) from each state or country where the prospective adoptive parent has resided in the~~
92 ~~previous five years:~~
93 ~~(i) a criminal history report; and~~
94 ~~(ii) a report from that state's or country's database of persons who have committed child~~
95 ~~abuse or neglect, if such a report may be obtained from that state or country.~~
96 ~~[(2) The fingerprints referenced in Subsection (1)(b) shall be submitted to the Federal~~
97 ~~Bureau of Investigation either:]~~
98 ~~[(a) through the Criminal Investigations and Technical Services Division of the~~
99 ~~Department of Public Safety in accordance with the provisions of Section 62A-2-120; or]~~
100 ~~[(b) if the prospective adoptive parent is pursuing the adoption with a private attorney,~~
101 ~~the request shall be submitted to the Federal Bureau of Investigation as a personal records~~
102 ~~check, in accordance with procedures established by the Criminal Investigations and Technical~~
103 ~~Services Division of the Department of Public Safety.] }~~

Renumber Remaining sections accordingly

4. *Page 6, Lines 177 through 179:*

177 (4) Except as provided in Subsections (5)(a) and (10), and ~~{consistent with}~~ subject to
 Subsection
178 (8), with regard to a child who is placed with adoptive parents more than six months after birth,
179 consent of an unmarried biological father is not required unless the unmarried biological father:

5. *Page 7, Lines 191 through 193:*

191 (II) if the child is less than one year old, for a period of at least six months during the period of
 time beginning
192 on the day on which the child is born and ending on the day on which the child is placed with
193 adoptive parents; and

6. *Page 7, Lines 204 through 205:*

204 (6) Except as provided in ~~{Subsections (8) and}~~ Subsection (10), and subject to
 Subsection (8), with regard to a child who is six
205 months of age or less at the time the child is placed with adoptive parents, consent of an

7. *Page 9, Lines 268 through 270:*

268 (A) 20 days after the day that the unmarried biological father knew, ~~{and}~~ or through the
269 exercise of reasonable diligence should have known, that the child or the child's mother were
270 present in the state of Utah; or