

369 (b) An attorney, physician, or other person may not:

370 (i) issue or cause to be issued to any person a card, sign, or device indicating that the
 371 attorney, physician, or other person is available to provide the assistance described in
 372 Subsection (3)(a)(i);

373 (ii) cause, permit, or allow any sign or marking indicating that the attorney, physician,
 374 or other person is available to provide the assistance described in Subsection (3)(a)(i), on or in
 375 any building or structure;

376 (iii) announce, cause, permit, or allow an announcement indicating that the attorney,
 377 physician, or other person is available to provide the assistance described in Subsection
 378 (3)(a)(i), to appear in any newspaper, magazine, directory, on radio or television, or an Internet
 379 website relating to a business;

380 (iv) announce, cause, permit, or allow a matching advertisement; or

381 (v) announce, cause, permit, or allow an advertisement that indicates or implies the
 382 attorney, physician, or other person is available to provide the assistance described in
 383 Subsection (3)(a)(i) as part of, or related to, other adoption-related services by using any of the
 384 following terms:

385 (A) "comprehensive";

386 (B) "complete";

387 (C) "one-stop";

388 (D) "all-inclusive"; or

389 (E) any other term similar to the terms described in Subsections (3)(b)(v)(A) through
 390 (D).

391 (c) An attorney, physician, or other person who is not licensed by the Office of
 392 Licensing [~~within the department~~] shall clearly and conspicuously disclose in any print media
 393 advertisement or written contract regarding adoption services or adoption-related services that
 394 the attorney, physician, or other person is not licensed to provide adoption services by the
 395 Office of Licensing [~~within the department~~].

396 [~~(4) Nothing in this part.~~]

397 [~~(a) precludes~~]

398 **Ĥ→ [Ŝ→ (4) A violation of this section is a third degree felony. ←Ŝ] (4) A person who intentionally**
 398a **or knowingly violates Subsection (2) or (3) is guilty of a third degree felony. ←Ĥ**

398a **Ŝ→ [(4) (5) ←Ŝ This part does not preclude** payment of fees for medical, legal, or other
 398b lawful

399 services rendered in connection with the care of a mother, delivery and care of a child, or

400 lawful adoption proceedings[~~;~~or].

401 [~~(b) abrogates the right of procedures for independent adoption as provided by law.~~]

402 ~~§~~→ [(5)] (6) ←~~§~~ In accordance with federal law, only [~~agents or employees~~] an agent or
402a employee of

403 the division and of a licensed child-placing [~~agencies~~] agency may certify to the United States
404 Citizenship and Immigration [~~and Naturalization Service~~] Services that a family meets the
405 division's preadoption requirements.

406 ~~§~~→ [(6)] (7) ←~~§~~ (a) Neither a licensed child-placing agency nor any attorney practicing in
406a this state
407 may place a child for adoption, either temporarily or permanently, with [~~any individual or~~
408 ~~individuals that~~] an individual who would not be qualified for adoptive placement [~~pursuant to~~
409 ~~the provisions of~~] under Sections 78B-6-117, 78B-6-102, and 78B-6-137.

410 (b) (i) The division, as a licensed child-placing agency, may not place a child in foster
411 care with [~~any~~] an individual [~~or individuals that~~] who would not be qualified for adoptive
412 placement [~~pursuant to the provisions of~~] under Sections 78B-6-117, 78B-6-102, and
413 78B-6-137. [~~However, nothing in this Subsection (6)(b) limits~~]

414 (ii) This Subsection ~~§~~→ [(6)] (7) ←~~§~~ (b) does not limit the placement of a child in foster
414a care with
415 the child's biological or adoptive parent, a relative, or in accordance with the Indian Child
416 Welfare Act, 25 U.S.C. Sec. 1901 et seq.

417 (c) (i) With regard to [~~children who are~~] a child who is in the custody of the state, the
418 division shall establish a rule providing that priority for placement shall be provided to
419 [~~families~~] a family in which a couple is legally married under the laws of this state. [~~However,~~
420 ~~nothing in this Subsection (6)(c) limits~~]

421 (ii) This Subsection ~~§~~→ [(6)] (7) ←~~§~~ (c) does not limit the placement of a child with the
421a child's
422 biological or adoptive parent, a relative, or in accordance with the Indian Child Welfare Act, 25
423 U.S.C. Sec. 1901 et seq.

424 Section 5. Section **76-7-304.5** is amended to read:

425 **76-7-304.5. Consent required for abortions performed on minors -- Division of**
426 **Child and Family Services as guardian of a minor -- Hearing to allow a minor to**
427 **self-consent -- Appeals.**

428 (1) In addition to the other requirements of this part, a physician may not perform an
429 abortion on a minor unless:

- 462 (B) is mature and capable of giving informed consent to the abortion; or
 463 (ii) an abortion would be in the minor's best interest.
 464 (5) The Judicial Council shall make rules that:
 465 (a) provide for the administration of the proceedings described in this section;
 466 (b) provide for the appeal of a court's decision under this section;
 467 (c) ensure the confidentiality of the proceedings described in this section and the
 468 records related to the proceedings; and
 469 (d) establish procedures to expedite the hearing and appeal proceedings described in
 470 this section.

471 Section 6. Section **80-3-102** is amended to read:

472 **80-3-102. Definitions.**

473 As used in this chapter:

474 (1) "Abuse, neglect, or dependency petition" means a petition filed in accordance with
 475 this chapter to commence proceedings in a juvenile court alleging that a child is:

- 476 (a) abused;
 477 (b) neglected; or
 478 (c) dependent.

479 (2) "Child protection team" means the same as that term is defined in Section
 480 62A-4a-101.

481 (3) "Custody" means the same as that term is defined in Section 62A-4a-101.

482 (4) "Division" means the Division of Child and Family Services created in Section
 483 62A-4a-103.

484 (5) "Friend" means an adult who:

- 485 (a) has an established relationship with the child or a family member of the child; and
 486 (b) is not the natural parent of the child.

487 (6) "Immediate family member" means a spouse, child, parent, sibling, grandparent, or
 488 grandchild.

489 (7) ~~§~~ ~~→~~ ~~[(a)]~~ ~~←~~ ~~§~~ "Relative" means an adult who:

490 ~~§~~ ~~→~~ ~~[(a)]~~ ~~(i)~~ (a) ~~←~~ ~~§~~ is the child's grandparent, great grandparent, aunt, great aunt, uncle,
 490a great
 491 uncle, brother-in-law, sister-in-law, stepparent, first cousin, stepsibling, or sibling;

492 ~~§~~ ~~→~~ ~~[(b)]~~ ~~(ii)~~ (b) ~~←~~ ~~§~~ is a first cousin of the child's parent;

493 ~~§→ [(c)] (iii) except is provided in Subsection (7)(b);~~ (c) ←§ is [an adoptive] a permanent
493a guardian

494 or natural parent of the child's sibling; or

495 ~~§→ [(d)] (iv)~~ (d) ←§ in the case of a child who is an Indian child, is an extended family
495a member as

496 defined in the Indian Child Welfare Act, 25 U.S.C. Sec. 1903.

497 ~~§→ [(b) "Relative" does not include the permanent guardian or natural parent of the child.]~~

497a ←§

498 (8) "Shelter care" means the same as that term is defined in Section 62A-4a-101.

499 (9) "Sibling" means the same as that term is defined in Section 62A-4a-101.

500 (10) "Sibling visitation" means the same as that term is defined in Section 62A-4a-101.

501 (11) "Substitute care" means the same as that term is defined in Section 62A-4a-101.

502 (12) "Temporary custody" means the same as that term is defined in Section

503 62A-4a-101.

504 Section 7. Section **80-3-301** is amended to read:

505 **80-3-301. Shelter hearing -- Court considerations.**

506 (1) A juvenile court shall hold a shelter hearing to determine the temporary custody of
507 a child within 72 hours, excluding weekends and holidays, after any one or all of the following
508 occur:

509 (a) removal of the child from the child's home by the division;

510 (b) placement of the child in protective custody;

511 (c) emergency placement under Subsection 62A-4a-202.1(7);

512 (d) as an alternative to removal of the child, a parent enters a domestic violence shelter
513 at the request of the division; or

514 (e) a motion for expedited placement in temporary custody is filed under Section
515 80-3-203.

516 (2) If one of the circumstances described in Subsections (1)(a) through (e) occurs, the
517 division shall issue a notice that contains all of the following:

518 (a) the name and address of the individual to whom the notice is directed;

519 (b) the date, time, and place of the shelter hearing;

520 (c) the name of the child on whose behalf an abuse, neglect, or dependency petition is
521 brought;

1299 (i) the minor be placed in accordance with the permanency plan; and
 1300 (ii) whatever steps are necessary to finalize the permanent placement of the minor be
 1301 completed as quickly as possible.

1302 (11) Nothing in this section may be construed to:

1303 (a) entitle any parent to reunification services for any specified period of time;
 1304 (b) limit a juvenile court's ability to terminate reunification services at any time before
 1305 a permanency hearing; or

1306 (c) limit or prohibit the filing of a petition for termination of parental rights by any
 1307 party, or a hearing on termination of parental rights, at any time before a permanency hearing
 1308 provided that relative placement and custody options have been fairly considered in accordance
 1309 with Sections 62A-4a-201 and 80-4-104.

1310 (12) (a) Subject to Subsection (12)(b), if a petition for termination of parental rights is
 1311 filed before the date scheduled for a permanency hearing, the juvenile court may consolidate
 1312 the hearing on termination of parental rights with the permanency hearing.

1313 (b) For purposes of Subsection (12)(a), if the juvenile court consolidates the hearing on
 1314 termination of parental rights with the permanency hearing:

1315 (i) the juvenile court shall first make a finding regarding whether reasonable efforts
 1316 have been made by the division to finalize the permanency plan for the minor; and

1317 (ii) any reunification services shall be terminated in accordance with the time lines
 1318 described in Section 80-3-406.

1319 (c) The juvenile court shall make a decision on a petition for termination of parental
 1320 rights within 18 months after the day on which the minor is initially removed from the minor's
 1321 home.

1322 (13) (a) If a juvenile court determines that a minor will not be returned to a parent of
 1323 the minor, the juvenile court shall consider appropriate placement options inside and outside of
 1324 the state.

1325 (b) In considering ~~§~~ → [appropriation] appropriate ← ~~§~~ placement options under
 1325a Subsection (13)(a), the
 1326 juvenile court shall provide preferential consideration to a relative's request for placement of
 1327 the minor.

1328 (14) (a) In accordance with Section 80-3-108, if a minor 14 years old or older desires
 1329 an opportunity to address the juvenile court or testify regarding permanency or placement, the