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ADOPTION REVISIONS
2024 GENERAL SESSION
STATE OF UTAH

Chief Sponsor: Chris H. Wilson
House Sponsor: Jefferson S. Burton

LONG TITLE

General Description:

This bill addresses adoptions.

Highlighted Provisions:

This bill:

- defines terms;
- allows the Office of Licensing within the Department of Health and Human Services (department) to issue a conditional human services program license for a license applicant whose license was previously revoked;
- requires the department to provide pregnancy support services, subject to available funding;
- amends language concerning appointment of an indigent defense service provider for termination of parental rights proceedings;
- allows a birth parent to elect to receive certain postpartum counseling at the expense of a child-placing agency or prospective adoptive parents;
- amends provisions relating to consent to adoption by an unmarried biological father;
- allows a prospective adoptive parent to use a foster care home study for purposes of adoption;
- modifies when a final decree of adoption may be entered;
- modifies provisions relating to the reporting of fees and expenses for an adoption; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2025:

- to Department of Health and Human Services - Children, Youth, & Families - Family Health as an ongoing appropriation:

28 • from the General Fund, \$245,000

29 **Other Special Clauses:**

30 None

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **26B-2-105**, as renumbered and amended by Laws of Utah 2023, Chapter 305

34 **26B-4-301**, as renumbered and amended by Laws of Utah 2023, Chapter 307 and last
35 amended by Coordination Clause, Laws of Utah 2023, Chapter 307

36 **78B-6-103**, as last amended by Laws of Utah 2023, Chapter 330

37 **78B-6-112**, as last amended by Laws of Utah 2021, Chapter 262

38 **78B-6-119**, as last amended by Laws of Utah 2009, Chapter 159

39 **78B-6-120**, as last amended by Laws of Utah 2017, Chapter 156

40 **78B-6-121**, as last amended by Laws of Utah 2021, Chapter 262

41 **78B-6-122**, as last amended by Laws of Utah 2023, Chapter 289

42 **78B-6-128**, as last amended by Laws of Utah 2023, Chapter 330

43 **78B-6-136.5**, as last amended by Laws of Utah 2021, Chapter 65

44 **78B-6-140**, as last amended by Laws of Utah 2023, Chapters 289, 466

45 ENACTS:

46 **26B-4-326**, as Utah Code Annotated 1953



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

49 Section 1. Section **26B-2-105** is amended to read:

50 **26B-2-105 . Licensure requirements -- Expiration -- Renewal.**

51 (1) Except as provided in Section 26B-2-115, an individual, agency, firm, corporation,
52 association, or governmental unit acting severally or jointly with any other individual,
53 agency, firm, corporation, association, or governmental unit may not establish, conduct,
54 or maintain a human services program in this state without a valid and current license
55 issued by and under the authority of the office as provided by this part and the rules
56 under the authority of this part.

57 (2) (a) For purposes of this Subsection (2), "member" means a person or entity that is
58 associated with another person or entity:

59 (i) as a member;

60 (ii) as a partner;

61 (iii) as a shareholder; or

- 62 (iv) as a person or entity involved in the ownership or management of a human
63 services program owned or managed by the other person or entity.
- 64 (b) A license issued under this part may not be assigned or transferred.
- 65 (c) ~~[An]~~ The office shall treat an application for a license under this part~~[shall be~~
66 ~~treated]~~ as an application for reinstatement of a revoked license if:
- 67 (i) (A) the person or entity applying for the license had a license revoked under
68 this part; and
69 (B) the revoked license described in Subsection (2)(c)(i)(A) is not reinstated
70 before the application described in this Subsection (2)(c) is made; or
71 (ii) a member of an entity applying for the license:
72 (A) (I) had a license revoked under this part; and
73 (II) the revoked license described in Subsection (2)(c)(ii)(A)(I) is not reinstated
74 before the application described in this Subsection (2)(c) is made; or
75 (B) (I) was a member of an entity that had a license revoked under this part at
76 any time before the license was revoked; and
77 (II) the revoked license described in Subsection (2)(c)(ii)(B)(I) is not reinstated
78 before the application described in this Subsection (2)(c) is made.
- 79 (3) (a) Subject to Section 26B-2-110, and after the five-year waiting period described in
80 Subsection 26B-2-110(1)(c), the office may conditionally approve an application for
81 reinstatement as described in Subsection (2)(c), for a maximum of two years, if:
- 82 (i) the applicant's license was previously revoked due to repeated or chronic
83 violations; or
- 84 (ii) after the applicant's license was previously revoked, the applicant associated with
85 another human services program that provides a service that is substantially
86 similar to the services for which the applicant was previously licensed.
- 87 (b) If the office issues a conditional license under Subsection (3)(a), the office shall
88 prepare a conditional license plan describing the terms and conditions of the
89 conditional license.
- 90 ~~[(3)]~~ (4) A current license shall at all times be posted in the facility where each human
91 services program is operated, in a place that is visible and readily accessible to the
92 public.
- 93 ~~[(4)]~~ (5) (a) Except as provided in Subsection ~~[(4)(e)]~~ (5)(c), each license issued under
94 this part expires at midnight on the last day of the same month the license was issued,
95 one year following the date of issuance unless the license has been:

- 96 (i) previously revoked by the office;
 97 (ii) voluntarily returned to the office by the licensee; or
 98 (iii) extended by the office.
- 99 (b) A license shall be renewed upon application and payment of the applicable fee,
 100 unless the office finds that the licensee:
- 101 (i) is not in compliance with the:
- 102 (A) provisions of this part; or
 103 (B) rules made under this part;
- 104 (ii) has engaged in a pattern of noncompliance with the:
- 105 (A) provisions of this part; or
 106 (B) rules made under this part;
- 107 (iii) has engaged in conduct that is grounds for denying a license under Section
 108 26B-2-112; or
- 109 (iv) has engaged in conduct that poses a substantial risk of harm to any person.
- 110 (c) The office may issue a renewal license that expires at midnight on the last day of the
 111 same month the license was issued, two years following the date of issuance, if:
- 112 (i) the licensee has maintained a human services license for at least 24 months before
 113 the day on which the licensee applies for the renewal; and
- 114 (ii) the licensee has not violated this part or a rule made under this part.
- 115 ~~[(5)]~~ (6) Any licensee that is in operation at the time rules are made in accordance with this
 116 part shall be given a reasonable time for compliance as determined by the rule.
- 117 ~~[(6)]~~ (7) (a) A license for a human services program issued under this section shall apply
 118 to a specific human services program site.
- 119 (b) A human services program shall obtain a separate license for each site where the
 120 human services program is operated.
- 121 Section 2. Section **26B-4-301** is amended to read:
- 122 **26B-4-301 . Definitions.**
- 123 As used in this part:
- 124 (1) "Committee" means the Primary Care Grant Committee described in Section 26B-1-410.
 125 (2) "Community based organization":
 126 (a) means a private entity; and
 127 (b) includes for profit and not for profit entities.
 128 (3) "Cultural competence" means a set of congruent behaviors, attitudes, and policies that
 129 come together in a system, agency, or profession and enables that system, agency, or

- 130 profession to work effectively in cross-cultural situations.
- 131 (4) "Emergency medical dispatch center" means a public safety answering point, as defined
132 in Section 63H-7a-103, that is designated as an emergency medical dispatch center by
133 the office.
- 134 (5) "Health literacy" means the degree to which an individual has the capacity to obtain,
135 process, and understand health information and services needed to make appropriate
136 health decisions.
- 137 (6) "Institutional capacity" means the ability of a community based organization to
138 implement public and private contracts.
- 139 (7) "Medically underserved population" means the population of an urban or rural area or a
140 population group that the committee determines has a shortage of primary health care.
- 141 (8) "Office" means the Office of Emergency Medical Services and Preparedness within the
142 department.
- 143 (9) "Pregnancy support services" means services that:
144 (a) encourage childbirth instead of voluntary termination of pregnancy; and
145 (b) assist pregnant women, or women who may become pregnant, to choose childbirth
146 whether they intend to parent or select adoption for the child.
- 147 [~~9~~] (10) "Primary care grant" means a grant awarded by the department under Subsection
148 26B-4-310(1).
- 149 [~~10~~] (11) (a) "Primary health care" means:
150 (i) basic and general health care services given when a person seeks assistance to
151 screen for or to prevent illness and disease, or for simple and common illnesses
152 and injuries; and
153 (ii) care given for the management of chronic diseases.
- 154 (b) "Primary health care" includes:
155 (i) services of physicians, nurses, physician's assistants, and dentists licensed to
156 practice in this state under Title 58, Occupations and Professions;
157 (ii) diagnostic and radiologic services;
158 (iii) preventive health services including perinatal services, well-child services, and
159 other services that seek to prevent disease or its consequences;
160 (iv) emergency medical services;
161 (v) preventive dental services; and
162 (vi) pharmaceutical services.
- 163 Section 3. Section **26B-4-326** is enacted to read:

164 **26B-4-326 . Pregnancy support services.**

165 The department shall, as funding permits and either directly or through one or more
 166 third parties, provide pregnancy support services, which may include:

- 167 (1) medical care and information, including pregnancy tests, sexually transmitted infection
 168 tests, pregnancy-related health screenings, ultrasound services, prenatal care, or birth
 169 planning and classes;
 170 (2) nutritional services and education;
 171 (3) housing, education, and employment assistance during pregnancy and up to one year
 172 following a birth;
 173 (4) adoption education, planning, and services;
 174 (5) child care assistance, if necessary for the client to receive pregnancy support services;
 175 (6) parenting education and support services for up to one year following a birth;
 176 (7) material items that are supportive of pregnancy and childbirth, including cribs, car seats,
 177 clothing, formula, and other safety devices; or
 178 (8) information regarding health care benefits, including Medicaid coverage for the client
 179 for pregnancy care that provides health coverage for the client's child upon birth.

180 Section 4. Section **78B-6-103** is amended to read:

181 **78B-6-103 . Definitions.**

182 As used in this part:

- 183 (1) "Adoptee" means a person who:
 184 (a) is the subject of an adoption proceeding; or
 185 (b) has been legally adopted.
 186 (2) "Adoption" means the judicial act that:
 187 (a) creates the relationship of parent and child where it did not previously exist; and
 188 (b) except as provided in Subsections 78B-6-138(2) and (4), terminates the parental
 189 rights of any other person with respect to the child.
 190 (3) "Adoption document" means an adoption-related document filed with the office, a
 191 petition for adoption, a decree of adoption, an original birth certificate, or evidence
 192 submitted in support of a supplementary birth certificate.
 193 (4) "Adoption proceeding" means any proceeding under this part.
 194 (5) "Adoption service provider" means:
 195 (a) a child-placing agency;
 196 (b) a licensed counselor who has at least one year of experience providing professional
 197 social work services to:

- 198 (i) adoptive parents;
- 199 (ii) prospective adoptive parents; or
- 200 (iii) birth parents; or
- 201 (c) the Office of Licensing within the Department of Health and Human Services.
- 202 ~~[(5)]~~ (6) "Adoptive parent" means an individual who has legally adopted an adoptee.
- 203 ~~[(6)]~~ (7) "Adult" means an individual who is 18 years ~~[of age]~~ old or older.
- 204 ~~[(7)]~~ (8) "Adult adoptee" means an adoptee who is 18 years ~~[of age]~~ old or older and was
- 205 adopted as a minor.
- 206 ~~[(8)]~~ (9) "Adult sibling" means an adoptee's brother or sister, who is 18 years ~~[of age]~~ old or
- 207 older and whose birth mother or father is the same as that of the adoptee.
- 208 ~~[(9)]~~ (10) "Birth mother" means the biological mother of a child.
- 209 ~~[(10)]~~ (11) "Birth parent" means:
- 210 (a) a birth mother;
- 211 (b) a man whose paternity of a child is established;
- 212 (c) a man who:
- 213 (i) has been identified as the father of a child by the child's birth mother; and
- 214 (ii) has not denied paternity; or
- 215 (d) an unmarried biological father.
- 216 ~~[(11)]~~ (12) "Child-placing agency" means an agency licensed to place children for adoption
- 217 under Title 26B, Chapter 2, Part 1, Human Services Programs and Facilities.
- 218 ~~[(12)]~~ (13) "Cohabiting" means residing with another person and being involved in a sexual
- 219 relationship with that person.
- 220 ~~[(13)]~~ (14) "Division" means the Division of Child and Family Services, within the
- 221 Department of Health and Human Services, created in Section 80-2-201.
- 222 ~~[(14)]~~ (15) "Extra-jurisdictional child-placing agency" means an agency licensed to place
- 223 children for adoption by a district, territory, or state of the United States, other than Utah.
- 224 ~~[(15)]~~ (16) "Genetic and social history" means a comprehensive report, when obtainable,
- 225 that contains the following information on an adoptee's birth parents, aunts, uncles, and
- 226 grandparents:
- 227 (a) medical history;
- 228 (b) health status;
- 229 (c) cause of and age at death;
- 230 (d) height, weight, and eye and hair color;
- 231 (e) ethnic origins;

- 232 (f) where appropriate, levels of education and professional achievement; and
 233 (g) religion, if any.
- 234 ~~[(16)]~~ (17) "Health history" means a comprehensive report of the adoptee's health status at
 235 the time of placement for adoption, and medical history, including neonatal,
 236 psychological, physiological, and medical care history.
- 237 ~~[(17)]~~ (18) "Identifying information" means information that is in the possession of the
 238 office and that contains the name and address of a pre-existing parent or an adult
 239 adoptee, or other specific information that by itself or in reasonable conjunction with
 240 other information may be used to identify a pre-existing parent or an adult adoptee,
 241 including information on a birth certificate or in an adoption document.
- 242 ~~[(18)]~~ (19) "Licensed counselor" means an individual who is licensed by the state, or
 243 another state, district, or territory of the United States as a:
 244 (a) certified social worker;
 245 (b) clinical social worker;
 246 (c) psychologist;
 247 (d) marriage and family therapist;
 248 (e) clinical mental health counselor; or
 249 (f) an equivalent licensed professional of another state, district, or territory of the United
 250 States.
- 251 ~~[(19)]~~ (20) "Man" means a male individual, regardless of age.
- 252 ~~[(20)]~~ (21) "Mature adoptee" means an adoptee who is adopted when the adoptee is an adult.
- 253 ~~[(21)]~~ (22) "Office" means the Office of Vital Records and Statistics within the Department
 254 of Health and Human Services operating under Title 26B, Chapter 8, Part 1, Vital
 255 Statistics.
- 256 ~~[(22)]~~ (23) "Parent," for purposes of Subsection 78B-6-112(6) and Section 78B-6-119,
 257 means any person described in Subsections 78B-6-120(1)(b) through (f) from whom
 258 consent for adoption or relinquishment for adoption is required under Sections
 259 78B-6-120 through 78B-6-122.
- 260 ~~[(23)]~~ (24) "Potential birth father" means a man who:
 261 (a) is identified by a birth mother as a potential biological father of the birth mother's
 262 child, but whose genetic paternity has not been established; and
 263 (b) was not married to the biological mother of the child described in Subsection ~~[(23)](a)~~
 264 (24)(a) at the time of the child's conception or birth.
- 265 ~~[(24)]~~ (25) "Pre-existing parent" means:

- 266 (a) a birth parent; or
267 (b) an individual who, before an adoption decree is entered, is, due to an earlier adoption
268 decree, legally the parent of the child being adopted.

269 [(25)] (26) "Prospective adoptive parent" means an individual who seeks to adopt an
270 adoptee.

271 [(26)] (27) "Relative" means:

272 (a) an adult who is a grandparent, great grandparent, aunt, great aunt, uncle, great uncle,
273 brother-in-law, sister-in-law, stepparent, first cousin, stepsibling, sibling of a child, or
274 first cousin of a child's parent; and

275 (b) in the case of a child defined as an "Indian child" under the Indian Child Welfare
276 Act, 25 U.S.C. Sec. 1903, an "extended family member" as defined by that statute.

277 [(27)] (28) "Unmarried biological father" means a man who:

278 (a) is the biological father of a child; and

279 (b) was not married to the biological mother of the child described in Subsection [(27)(a)]

280 (28)(a) at the time of the child's conception or birth.

281 Section 5. Section **78B-6-112** is amended to read:

282 **78B-6-112 . District court jurisdiction over termination of parental rights**
283 **proceedings.**

284 (1) A district court has jurisdiction to terminate parental rights in a child if the party that
285 filed the petition is seeking to terminate parental rights in the child for the purpose of
286 facilitating the adoption of the child.

287 (2) A petition to terminate parental rights under this section may be:

288 (a) joined with a proceeding on an adoption petition; or

289 (b) filed as a separate proceeding before or after a petition to adopt the child is filed.

290 (3) A court may enter a final order terminating parental rights before a final decree of
291 adoption is entered.

292 (4) (a) Nothing in this section limits the jurisdiction of a juvenile court relating to
293 proceedings to terminate parental rights as described in Section 78A-6-103.

294 (b) This section does not grant jurisdiction to a district court to terminate parental rights
295 in a child if the child is under the jurisdiction of the juvenile court in a pending abuse,
296 neglect, dependency, or termination of parental rights proceeding.

297 (5) The district court may terminate an individual's parental rights in a child if:

298 (a) the individual executes a voluntary consent to adoption, or relinquishment for
299 adoption, of the child, in accordance with:

- 300 (i) the requirements of this chapter; or
301 (ii) the laws of another state or country, if the consent is valid and irrevocable;
- 302 (b) the individual is an unmarried biological father who is not entitled to consent to
303 adoption, or relinquishment for adoption, under Section 78B-6-120 or 78B-6-121;
- 304 (c) the individual:
- 305 (i) received notice of the adoption proceeding relating to the child under Section
306 78B-6-110; and
- 307 (ii) failed to file a motion for relief, under Subsection 78B-6-110(6), within 30 days
308 after the day on which the individual was served with notice of the adoption
309 proceeding;
- 310 (d) the court finds, under Section 78B-15-607, that the individual is not a parent of the
311 child; or
- 312 (e) the individual's parental rights are terminated on grounds described in Title 80,
313 Chapter 4, Termination and Restoration of Parental Rights, and termination is in the
314 best interests of the child.
- 315 (6) The court shall appoint an indigent defense service provider in accordance with Title
316 78B, Chapter 22, Indigent Defense Act, to represent [~~an individual~~] a parent who faces
317 any action initiated by a private party under Title 80, Chapter 4, Termination and
318 Restoration of Parental Rights, or whose parental rights are subject to termination under
319 this section.
- 320 (7) If a county incurs expenses in providing indigent defense services to an indigent
321 individual facing any action initiated by a private party under Title 80, Chapter 4,
322 Termination and Restoration of Parental Rights, or termination of parental rights under
323 this section, the county may apply for reimbursement from the Utah Indigent Defense
324 Commission in accordance with Section 78B-22-406.
- 325 (8) A petition filed under this section is subject to the procedural requirements of this
326 chapter.
- 327 Section 6. Section **78B-6-119** is amended to read:
- 328 **78B-6-119 . Counseling for parents.**
- 329 (1) Subject to Subsection (2)(a), before relinquishing a child to a child-placing agency, or
330 consenting to the adoption of a child, a parent of the child has the right to participate in,
331 or elect to participate in, counseling:
- 332 (a) by a licensed counselor or an adoption service provider selected by the parent
333 participating in the counseling;

- 334 (b) for up to three sessions of at least 50 minutes per session completed prior to
335 relinquishing a child or within three months following the relinquishment of a child;
336 and
- 337 (c) subject to Subsection (2)(b), at the expense of the:
- 338 (i) child-placing agency; or
- 339 (ii) prospective adoptive parents.
- 340 (2) (a) Notwithstanding Subsection (1), a parent who has the right to participate in the
341 counseling described in this section may waive that right.
- 342 (b) Notwithstanding Subsection (1)(c), the total amount required to be paid by a
343 child-placing agency or the prospective adoptive parents for the counseling described
344 in Subsection (1) may not exceed \$400, unless an agreement for a greater amount is
345 signed by:
- 346 (i) the parent who receives the counseling; and
- 347 (ii) the child-placing agency or prospective adoptive parents.
- 348 (3) Before a parent relinquishes a child to a child-placing agency, or consents to the
349 adoption of a child, the parent shall be informed of the right described in Subsection (1)
350 by the:
- 351 (a) child-placing agency;
- 352 (b) prospective adoptive parents; or
- 353 (c) representative of a person described in Subsection (3)(a) or (b).
- 354 (4) If the parent who is entitled to the counseling as described in Subsection (1) elects to
355 attend one or more counseling sessions following the relinquishment of a child:
- 356 (a) the parent of the child shall inform the child-placing agency or prospective adoptive
357 parents of this election prior to relinquishing the child to a child-placing agency or
358 consenting to the adoption of the child; and
- 359 (b) the parent of the child and the child-placing agency or attorney representing a
360 prospective adoptive parent of the child shall enter into an agreement to pay for the
361 counseling in accordance with this section.
- 362 ~~[(4)]~~ (5) (a) Subject to Subsections ~~[(4)(b)]~~ (3)(b) and (c), before the day on which a final
363 decree of adoption is entered, a statement shall be filed with the court that:
- 364 (i) is signed by each parent who:
- 365 (A) relinquishes the parent's parental rights; or
- 366 (B) consents to the adoption; and
- 367 (ii) states that, before the parent took the action described in Subsection ~~[(4)(a)(i)(A)]~~

- 368 (5)(a)(i)(A) or (B), the parent was advised of the parent's right to participate in the
 369 counseling described in this section at the expense of the:
 370 (A) child-placing agency; or
 371 (B) prospective adoptive parents.
- 372 (b) The statement described in Subsection [~~(4)(a)~~] (5)(a) may be included in the
 373 document that:
 374 (i) relinquishes the parent's parental rights; or
 375 (ii) consents to the adoption.
- 376 (c) Failure by a person to give the notice described in Subsection (3), or pay for the
 377 counseling described in this section:
 378 (i) shall not constitute grounds for invalidating a:
 379 (A) relinquishment of parental rights; or
 380 (B) consent to adoption; and
 381 (ii) shall give rise to a cause of action for the recovery of damages suffered, if any, by
 382 the parent or guardian who took the action described in Subsection [~~(4)(e)(i)(A)~~]
 383 (5)(c)(i)(A) or (B) against the person required to:
 384 (A) give the notice described in Subsection (3); or
 385 (B) pay for the counseling described in this section.

386 Section 7. Section **78B-6-120** is amended to read:

387 **78B-6-120 . Necessary consent to adoption or relinquishment for adoption.**

- 388 (1) Except as provided in Subsection (2), consent to adoption of a child, or relinquishment
 389 of a child for adoption, is required from:
 390 (a) the adoptee, if the adoptee is more than 12 years [~~of age~~] old, unless the adoptee does
 391 not have the mental capacity to consent;
- 392 (b) a man or woman who:
 393 (i) by operation of law under Section 78B-15-204, is recognized as the father or
 394 mother of the proposed adoptee, unless:
 395 (A) the presumption is rebutted under Section 78B-15-607; [~~or~~]
 396 (B) at the time of the marriage, the man or woman knew or reasonably should
 397 have known that the marriage to the mother of the proposed adoptee was or
 398 could be declared invalid; or
 399 [~~(B)~~] (C) the man or woman was not married to the mother of the proposed
 400 adoptee until after the mother consented to adoption, or relinquishment for
 401 adoption, of the proposed adoptee; or

- 402 (ii) is the father of the adoptee by a previous legal adoption;
- 403 (c) the mother of the adoptee;
- 404 (d) a biological parent who has been adjudicated to be the child's biological father by a
405 court of competent jurisdiction prior to the mother's execution of consent to adoption
406 or her relinquishment of the child for adoption;
- 407 (e) consistent with Subsection (3), a biological parent who has executed and filed a
408 voluntary declaration of paternity with the state registrar of vital statistics within the
409 Department of Health in accordance with Title 78B, Chapter 15, Utah Uniform
410 Parentage Act, prior to the mother's execution of consent to adoption or her
411 relinquishment of the child for adoption;
- 412 (f) an unmarried biological father, of an adoptee, whose consent is not required under
413 Subsection (1)(d) or (1)(e), only if he fully and strictly complies with the
414 requirements of Sections 78B-6-121 and 78B-6-122; and
- 415 (g) the person or agency to whom an adoptee has been relinquished and that is placing
416 the child for adoption.
- 417 (2) (a) The consent of a person described in Subsections (1)(b) through (g) is not
418 required if the adoptee is 18 years ~~[of age]~~ old or older.
- 419 (b) The consent of a person described in Subsections (1)(b) through (f) is not required if
420 the person's parental rights relating to the adoptee have been terminated.
- 421 (3) For purposes of Subsection (1)(e), a voluntary declaration of paternity is considered
422 filed when it is entered into a database that:
- 423 (a) can be accessed by the Department of Health and Human Services; and
- 424 (b) is designated by the state registrar of vital statistics as the official database for
425 voluntary declarations of paternity.
- 426 Section 8. Section **78B-6-121** is amended to read:
- 427 **78B-6-121 . Consent of unmarried biological father.**
- 428 (1) Except as provided in Subsections (2)(a) and 78B-6-122(1), and subject to Subsections
429 (5) and (6), with regard to a child who is placed with prospective adoptive parents more
430 than six months after birth, consent of an unmarried biological father is not required
431 unless the unmarried biological father:
- 432 (a) (i) developed a substantial relationship with the child by:
- 433 (A) visiting the child monthly, unless the unmarried biological father was
434 physically or financially unable to visit the child on a monthly basis; or
- 435 (B) engaging in regular communication with the child or with the person or

- 436 authorized agency that has lawful custody of the child;
- 437 (ii) took some measure of responsibility for the child and the child's future; and
- 438 (iii) demonstrated a full commitment to the responsibilities of parenthood by
- 439 financial support of the child of a fair and reasonable sum in accordance with the
- 440 father's ability; or
- 441 (b) (i) openly lived with the child:
- 442 (A) (I) if the child is one year old or older, for a period of at least six months
- 443 during the one-year period immediately preceding the day on which the
- 444 child is placed with prospective adoptive parents; or
- 445 (II) if the child is less than one year old, for a period of at least six months
- 446 during the period of time beginning on the day on which the child is born
- 447 and ending on the day on which the child is placed with prospective
- 448 adoptive parents; and
- 449 (B) immediately preceding placement of the child with prospective adoptive
- 450 parents; and
- 451 (ii) openly held himself out to be the father of the child during the six-month period
- 452 described in Subsection (1)(b)(i)(A).
- 453 (2) (a) If an unmarried biological father was prevented from complying with a
- 454 requirement of Subsection (1) by the person or authorized agency having lawful
- 455 custody of the child, the unmarried biological father is not required to comply with
- 456 that requirement.
- 457 (b) The subjective intent of an unmarried biological father, whether expressed or
- 458 otherwise, that is unsupported by evidence that the requirements in Subsection (1)
- 459 have been met, shall not preclude a determination that the father failed to meet the
- 460 requirements of Subsection (1).
- 461 (3) Except as provided in Subsections (6) and 78B-6-122(1), and subject to Subsection (5),
- 462 with regard to a child who is six months old or less at the time the child is placed with
- 463 prospective adoptive parents, consent of an unmarried biological father is not required
- 464 unless, prior to the time the mother executes her consent for adoption or relinquishes the
- 465 child for adoption, the unmarried biological father:
- 466 (a) initiates proceedings in a district court of Utah to establish paternity under Title 78B,
- 467 Chapter 15, Utah Uniform Parentage Act;
- 468 (b) files with the court that is presiding over the paternity proceeding a sworn affidavit:
- 469 (i) stating that he is fully able and willing to have full custody of the child;

- 470 (ii) setting forth his plans for care of the child; and
471 (iii) agreeing to a court order of child support and the payment of expenses incurred
472 in connection with the mother's pregnancy and the child's birth;
- 473 (c) consistent with Subsection (4), files notice of the commencement of paternity
474 proceedings, described in Subsection (3)(a), with the state registrar of vital statistics
475 within the Department of Health and Human Services, in a confidential registry
476 established by the department for that purpose; and
- 477 (d) offered to pay and paid, during the pregnancy and after the child's birth, a fair and
478 reasonable amount of the expenses incurred in connection with the mother's
479 pregnancy and the child's birth, in accordance with his financial ability, unless:
- 480 (i) he did not have actual knowledge of the pregnancy;
481 (ii) he was prevented from paying the expenses by the person or authorized agency
482 having lawful custody of the child; or
483 (iii) the mother refused to accept the unmarried biological father's offer to pay the
484 expenses described in this Subsection (3)(d).
- 485 (4) (a) The notice described in Subsection (3)(c) is considered filed when received by
486 the state registrar of vital statistics.
- 487 (b) If the unmarried biological father fully complies with the requirements of Subsection
488 (3), and an adoption of the child is not completed, the unmarried biological father
489 shall, without any order of the court, be legally obligated for a reasonable amount of
490 child support, pregnancy expenses, and child birth expenses, in accordance with his
491 financial ability.
- 492 (5) Unless his ability to assert the right to consent has been lost for failure to comply with
493 Section 78B-6-110.1, or lost under another provision of Utah law, an unmarried
494 biological father shall have at least one business day after the child's birth to fully and
495 strictly comply with the requirements of Subsection (3).
- 496 (6) Consent of an unmarried biological father is not required under this section if:
- 497 (a) the court determines, in accordance with the requirements and procedures of Title 80,
498 Chapter 4, Termination and Restoration of Parental Rights, that the unmarried
499 biological father's rights should be terminated, based on the petition of any interested
500 party;
- 501 (b) (i) a declaration of paternity declaring the unmarried biological father to be the
502 father of the child is rescinded under Section 78B-15-306; and
503 (ii) the unmarried biological father fails to comply with Subsection (3) within 10

504 business days after the day that notice of the rescission described in Subsection
505 (6)(b)(i) is mailed by the Office of Vital Records within the Department of Health
506 and Human Services as provided in Section 78B-15-306; or

507 (c) the unmarried biological father is notified under Section 78B-6-110.1 and fails to
508 preserve his rights in accordance with the requirements of that section.

509 (7) Unless the adoptee is conceived or born within a marriage, the petitioner in an adoption
510 proceeding shall, prior to entrance of a final decree of adoption, file with the court a
511 certificate from the state registrar of vital statistics within the Department of Health and
512 Human Services, stating:

513 (a) that a diligent search has been made of the registry of notices from unmarried
514 biological fathers described in Subsection (3)(d); and

515 (b) (i) that no filing has been found pertaining to the father of the child in question; or
516 (ii) if a filing is found, the name of the putative father and the time and date of filing.

517 Section 9. Section **78B-6-122** is amended to read:

518 **78B-6-122 . Qualifying circumstance.**

519 (1) (a) For purposes of this section, "qualifying circumstance" means that, at any point
520 during the time period beginning at the conception of the child and ending at the time
521 the mother executed a consent to adoption or relinquishment of the child for adoption:

522 (i) the child or the child's mother resided on a permanent basis, or a temporary basis
523 of no less than 30 consecutive days, in the state;

524 (ii) the mother intended to give birth to the child in the state;

525 (iii) the child was born in the state; or

526 (iv) the mother intended to execute a consent to adoption or relinquishment of the
527 child for adoption:

528 (A) in the state; or

529 (B) under the laws of the state.

530 (b) For purposes of Subsection (1)(c)(i)(C) only, when determining whether an
531 unmarried biological father has demonstrated a full commitment to his parental
532 responsibilities, a court shall consider the totality of the circumstances, including, if
533 applicable:

534 (i) efforts he has taken to discover the location of the child or the child's mother;

535 (ii) whether he has expressed and demonstrated an interest in taking responsibility for
536 the child;

537 (iii) whether, and to what extent, he has developed, or attempted to develop, a

- 538 relationship with the child;
- 539 (iv) whether he offered to provide and, unless the offer was rejected, did provide,
540 financial support for the child or the child's mother;
- 541 (v) whether, and to what extent, he has communicated, or attempted to communicate,
542 with the child or the child's mother;
- 543 (vi) whether he has timely filed legal proceedings to establish his paternity of, and
544 take responsibility for, the child;
- 545 (vii) whether he has timely filed a notice with a public official or agency relating to:
546 (A) his paternity of the child; or
547 (B) legal proceedings to establish his paternity of the child; or
- 548 (viii) other evidence that shows whether he has demonstrated a full commitment to
549 his parental responsibilities.
- 550 (c) Notwithstanding the provisions of Section 78B-6-121, the consent of an unmarried
551 biological father is required with respect to an adoptee who is under the age of 18 if:
- 552 (i) (A) the unmarried biological father did not know, and through the exercise of
553 reasonable diligence could not have known, before the time the mother
554 executed a consent to adoption or relinquishment of the child for adoption, that
555 a qualifying circumstance existed;
- 556 (B) before the mother executed a consent to adoption or relinquishment of the
557 child for adoption, the unmarried biological father fully complied with the
558 requirements to establish parental rights and duties in the child, and to preserve
559 the right to notice of a proceeding in connection with the adoption of the child,
560 imposed by:
- 561 (I) the last state where the unmarried biological father knew, or through the
562 exercise of reasonable diligence should have known, that the mother resided
563 in before the mother executed the consent to adoption or relinquishment of
564 the child for adoption; or
- 565 (II) the state where the child was conceived; and
- 566 (C) the unmarried biological father has demonstrated, based on the totality of the
567 circumstances, a full commitment to his parental responsibilities, as described
568 in Subsection (1)(b); or
- 569 (ii) (A) the unmarried biological father knew, or through the exercise of
570 reasonable diligence should have known, before the time the mother executed a
571 consent to adoption or relinquishment of the child for adoption, that a

572 qualifying circumstance existed; and
573 (B) the unmarried biological father complied with the requirements of Section
574 78B-6-121 before the later of:
575 (I) 20 days after the day that the unmarried biological father knew, or through
576 the exercise of reasonable diligence should have known, that a qualifying
577 circumstance existed; or
578 (II) the time that the mother executed a consent to adoption or relinquishment
579 of the child for adoption.

580 (2) An unmarried biological father who does not fully and strictly comply with the
581 requirements of Section 78B-6-121 and this section is considered to have waived and
582 surrendered any right in relation to the child, including the right to:
583 (a) notice of any judicial proceeding in connection with the adoption of the child; and
584 (b) consent, or refuse to consent, to the adoption of the child.

585 Section 10. Section **78B-6-128** is amended to read:

586 **78B-6-128 . Preplacement adoptive evaluations -- Exceptions.**

587 (1) (a) Except as otherwise provided in this section, a child may not be placed in an
588 adoptive home until a preplacement adoptive evaluation, assessing the prospective
589 adoptive parent and the prospective adoptive home, has been conducted in
590 accordance with the requirements of this section.
591 (b) Except as provided in Section 78B-6-131, the court may, at any time, authorize
592 temporary placement of a child in a prospective adoptive home pending completion
593 of a preplacement adoptive evaluation described in this section.
594 (c) (i) Subsection (1)(a) does not apply if a pre-existing parent has legal custody of
595 the child to be adopted and the prospective adoptive parent is related to that child
596 or the pre-existing parent as a stepparent, sibling by half or whole blood or by
597 adoption, grandparent, aunt, uncle, or first cousin, unless the court otherwise
598 requests the preplacement adoption.
599 (ii) The prospective adoptive parent described in this Subsection (1)(c) shall obtain
600 the information described in Subsections (2)(a) and (b), and file that
601 documentation with the court prior to finalization of the adoption.
602 (d) (i) The preplacement adoptive evaluation shall be completed or updated within
603 the 12-month period immediately preceding the placement of a child with the
604 prospective adoptive parent.
605 (ii) If the prospective adoptive parent has previously received custody of a child for

606 the purpose of adoption, the preplacement adoptive evaluation shall be completed
607 or updated within the 12-month period immediately preceding the placement of a
608 child with the prospective adoptive parent and after the placement of the previous
609 child with the prospective adoptive parent.

610 (2) The preplacement adoptive evaluation shall include:

611 (a) a criminal history background check regarding each prospective adoptive parent and
612 any other adult living in the prospective home, prepared no earlier than 18 months
613 immediately preceding placement of the child in accordance with the following:

614 (i) if the child is in state custody, each prospective adoptive parent and any other
615 adult living in the prospective home shall submit fingerprints to the Department of
616 Health and Human Services, which shall perform a criminal history background
617 check in accordance with Section 26B-2-120; or

618 (ii) subject to Subsection (3), if the child is not in state custody, an adoption service
619 provider or an attorney representing a prospective adoptive parent shall submit
620 fingerprints from the prospective adoptive parent and any other adult living in the
621 prospective home to the Criminal and Technical Services Division of Public
622 Safety for a regional and nationwide background check, to the Office of [Licensing]
623 Background Processing within the Department of Health and Human Services for
624 a background check in accordance with Section 26B-2-120, or to the Federal
625 Bureau of Investigation;

626 (b) a report containing all information regarding reports and investigations of child
627 abuse, neglect, and dependency, with respect to each prospective adoptive parent and
628 any other adult living in the prospective home, obtained no earlier than 18 months
629 immediately preceding the day on which the child is placed in the prospective home,
630 pursuant to waivers executed by each prospective adoptive parent and any other adult
631 living in the prospective home, that:

632 (i) if the prospective adoptive parent or the adult living in the prospective adoptive
633 parent's home is a resident of Utah, is prepared by the Department of Health and
634 Human Services from the records of the Department of Health and Human
635 Services; or

636 (ii) if the prospective adoptive parent or the adult living in the prospective adoptive
637 parent's home is not a resident of Utah, prepared by the Department of Health and
638 Human Services, or a similar agency in another state, district, or territory of the
639 United States, where each prospective adoptive parent and any other adult living

- 640 in the prospective home resided in the five years immediately preceding the day
641 on which the child is placed in the prospective adoptive home;
- 642 (c) in accordance with Subsection (6), a home study conducted by an adoption service
643 provider that is:
- 644 (i) an expert in family relations approved by the court;
 - 645 (ii) a certified social worker;
 - 646 (iii) a clinical social worker;
 - 647 (iv) a marriage and family therapist;
 - 648 (v) a psychologist;
 - 649 (vi) a social service worker, if supervised by a certified or clinical social worker;
 - 650 (vii) a clinical mental health counselor; or
 - 651 (viii) an Office of Licensing employee within the Department of Health and Human
652 Services who is trained to perform a home study; and
- 653 (d) in accordance with Subsection (7), if the child to be adopted is a child who is in the
654 custody of any public child welfare agency, and is a child who has a special need as
655 defined in Section 80-2-801, the preplacement adoptive evaluation shall be conducted
656 by the Department of Health and Human Services or a child-placing agency that has
657 entered into a contract with the department to conduct the preplacement adoptive
658 evaluations for children with special needs.
- 659 (3) For purposes of Subsection (2)(a)(ii), subject to Subsection (4), the criminal history
660 background check described in Subsection (2)(a)(ii) shall be submitted in a manner
661 acceptable to the court that will:
- 662 (a) preserve the chain of custody of the results; and
 - 663 (b) not permit tampering with the results by a prospective adoptive parent or other
664 interested party.
- 665 (4) In order to comply with Subsection (3), the manner in which the criminal history
666 background check is submitted shall be approved by the court.
- 667 (5) Except as provided in Subsection 78B-6-131(2), in addition to the other requirements of
668 this section, before a child in state custody is placed with a prospective foster parent or a
669 prospective adoptive parent, the Department of Health and Human Services shall
670 comply with Section 78B-6-131.
- 671 (6) (a) An individual described in Subsections (2)(c)(i) through (vii) shall be licensed to
672 practice under the laws of:
- 673 (i) this state; or

- 674 (ii) the state, district, or territory of the United States where the prospective adoptive
675 parent or other person living in the prospective adoptive home resides.
- 676 (b) Neither the Department of Health and Human Services nor any of the department's
677 divisions may proscribe who qualifies as an expert in family relations or who may
678 conduct a home study under Subsection (2)(c).
- 679 (c) The home study described in Subsection (2)(c) shall be a written document that
680 contains the following:
- 681 (i) a recommendation to the court regarding the suitability of the prospective adoptive
682 parent for placement of a child;
- 683 (ii) a description of in-person interviews with the prospective adoptive parent, the
684 prospective adoptive parent's children, and other individuals living in the home;
- 685 (iii) a description of character and suitability references from at least two individuals
686 who are not related to the prospective adoptive parent and with at least one
687 individual who is related to the prospective adoptive parent;
- 688 (iv) a medical history and a doctor's report, based upon a doctor's physical
689 examination of the prospective adoptive parent, made within two years before the
690 date of the application; and
- 691 (v) a description of an inspection of the home to determine whether sufficient space
692 and facilities exist to meet the needs of the child and whether basic health and
693 safety standards are maintained.
- 694 (7) Any fee assessed by the evaluating agency described in Subsection (2)(d) is the
695 responsibility of the adopting parent.
- 696 (8) The person conducting the preplacement adoptive evaluation shall, in connection with
697 the preplacement adoptive evaluation, provide the prospective adoptive parent with
698 literature approved by the Division of Child and Family Services relating to adoption,
699 including information relating to:
- 700 (a) the adoption process;
- 701 (b) developmental issues that may require early intervention; and
- 702 (c) community resources that are available to the prospective adoptive parent.
- 703 (9) A copy of the preplacement adoptive evaluation shall be filed with the court.
- 704 (10) A home study completed for the purposes of foster care licensing in accordance with
705 Title 80, Chapter 2, Part 3, Division Responsibilities, shall be accepted by the court for a
706 proceeding under this part.
- 707 Section 11. Section **78B-6-136.5** is amended to read:

708 **78B-6-136.5 . Timing of entry of final decree of adoption -- Posthumous adoption.**

709 (1) Except as provided in Subsection (2), a final decree of adoption may not be entered until
710 the earlier of:

711 (a) when the child has lived in the home of the prospective adoptive parent for [~~six~~] three
712 months; or

713 (b) when the child has been placed for adoption with the prospective adoptive parent for [
714 ~~six~~] three months.

715 (2) (a) If the prospective adoptive parent is the spouse of the preexisting parent, a final
716 decree of adoption may not be entered until the child has lived in the home of that
717 prospective adoptive parent for [~~one year~~] six months, unless, based on a finding of
718 good cause, the court orders that the final decree of adoption may be entered at an
719 earlier time.

720 (b) The court may, based on a finding of good cause, order that the final decree of
721 adoption be entered at [~~an earlier~~] a later time than described in Subsection (1).

722 (3) The court has authority to enter a final decree of adoption after a child's death upon the
723 request of the prospective adoptive parent or parents of the child if:

724 (a) the child dies during the time that the child is placed in the home of a prospective
725 adoptive parent or parents for the purpose of adoption; or

726 (b) the prospective adoptive parent is the spouse of a preexisting parent of the child and
727 the child lived with the prospective adoptive parent before the child's death.

728 (4) The court may enter a final decree of adoption declaring that a child is adopted by:

729 (a) both a deceased and a surviving adoptive parent if after the child is placed in the
730 home of the child's prospective adoptive parents:

731 (i) one of the prospective adoptive parents dies;

732 (ii) the surviving prospective adoptive parent requests that the court enter the decree;
733 and

734 (iii) the decree is entered after the child has lived in the home of the surviving
735 prospective adoptive parent for at least [~~six~~] three months; or

736 (b) a spouse of a preexisting parent if after the child has lived with the spouse of the
737 preexisting parent:

738 (i) the preexisting parent, or the spouse of the preexisting parent, dies;

739 (ii) the preexisting parent, or the spouse of the preexisting parent, requests that the
740 court enter the decree; and

741 (iii) the child has lived in the same home as the spouse of the preexisting parent for at

742 least [~~one-year~~] six months.

743 (5) Upon request of a surviving preexisting parent, or a surviving parent for whom adoption
744 of a child has been finalized, the court may enter a final decree of adoption declaring
745 that a child is adopted by a deceased adoptive parent who was the spouse of the
746 surviving parent at the time of the prospective adoptive parent's death.

747 (6) The court may enter a final decree of adoption declaring that a child is adopted by both
748 deceased prospective adoptive parents if:

749 (a) both of the prospective adoptive parents die after the child is placed in the
750 prospective adoptive parents' home; and

751 (b) it is in the best interests of the child to enter the decree.

752 (7) Nothing in this section shall be construed to grant any rights to the preexisting parents
753 of a child to assert any interest in the child during the [~~six~~] three-month or [~~one-year~~]
754 six-month periods described in this section.

755 Section 12. Section **78B-6-140** is amended to read:

756 **78B-6-140 . Itemization of fees and expenses -- Reporting.**

757 (1) (a) Except as provided in Subsection (5), before the date that a final decree of
758 adoption is entered, a prospective adoptive parent or, if the child was placed by a
759 child-placing agency, the person or agency placing the child shall file with the court
760 an affidavit regarding fees and expenses on a form prescribed by the Judicial Council
761 in accordance with Subsection (2).

762 (b) An affidavit filed pursuant to Subsection (1)(a) shall be signed by each prospective
763 adoptive parent and, if the child was placed by a child-placing agency, the person or
764 agency placing the child.

765 (c) The court shall review an affidavit filed under this section for completeness and
766 compliance with the requirements of this section.

767 (d) The results of the court's review under Subsection (1)(c) shall be noted in the court's
768 record.

769 (2) (a) The Judicial Council shall prescribe a uniform form for the affidavit described in
770 Subsection (1).

771 (b) The uniform affidavit form shall require itemization of the following items in
772 connection with the adoption:

773 (i) all legal expenses that have been or will be paid to or on behalf of the preexisting
774 parents of the child, including the source of payment;

775 (ii) all maternity expenses that have been or will be paid to or on behalf of the

- 776 preexisting parents of the child, including the source of payment;
- 777 (iii) all medical or hospital expenses that have been or will be paid to or on behalf of
- 778 the preexisting parents of the child, including the source of payment;
- 779 (iv) all living expenses that have been or will be paid to or on behalf of the
- 780 preexisting parents of the child, including the source of payment;
- 781 (v) fees paid by the prospective adoptive parent or parents in connection with the
- 782 adoption;
- 783 (vi) all gifts, property, or other items that have been or will be provided to the
- 784 preexisting parents, including the source and approximate value of the gifts,
- 785 property, or other items;
- 786 (vii) all public funds used for any medical or hospital costs in connection with the:
- 787 (A) pregnancy;
- 788 (B) delivery of the child; or
- 789 (C) care of the child; and
- 790 (viii) if a child-placing agency placed the child:
- 791 (A) a description of services provided to the prospective adoptive parents or
- 792 preexisting parents in connection with the adoption;
- 793 (B) all expenses associated with matching the prospective adoptive parent or
- 794 parents and the birth mother;
- 795 (C) all expenses associated with advertising; and
- 796 (D) any other agency fees or expenses paid by an adoptive parent that are not
- 797 itemized under one of the other categories described in this Subsection (2)(b),
- 798 including a description of the reason for the fee or expense.
- 799 (c) The uniform affidavit form shall require:
- 800 (i) a statement of the state of residence of the:
- 801 (A) birth mother or the preexisting parents; and
- 802 (B) prospective adoptive parent or parents;
- 803 (ii) a declaration that Section 76-7-203 has not been violated; and
- 804 (iii) if the affidavit includes an itemized amount for both of the categories described
- 805 in Subsections (2)(b)(iii) and (vii), a statement explaining why certain medical or
- 806 hospital expenses were paid by a source other than public funds.
- 807 (d) To satisfy the requirement of Subsection (1)(a), the court shall accept an affidavit
- 808 that is submitted in a form accepted by the Office of Licensing within the Department
- 809 of Health and Human Services if the affidavit contains the same information and is in

- 810 a reasonably equivalent format as the uniform affidavit form prescribed by the
811 Judicial Council.
- 812 (3) (a) If a child-placing agency, that is licensed by this state, placed the child, the
813 child-placing agency shall provide a copy of the affidavit described in Subsection (1)
814 to the Office of Licensing within the Department of Health and Human Services.
- 815 (b) Before August 30 of each year, the Office of Licensing within the Department of
816 Health and Human Services shall provide a written report to the Health and Human
817 Services Interim Committee and to the Judicial Council regarding the cost of
818 adoptions in the state that includes:
- 819 (i) the total number of affidavits provided to the Office of Licensing during the
820 previous year; [~~and~~]
- 821 (ii) for each of the categories described in Subsection (2)(b):
- 822 (A) the average amount disclosed on affidavits submitted during the previous
823 year; and
- 824 (B) the range of amounts disclosed on affidavits submitted during the previous
825 year;
- 826 (iii) the average total amount disclosed on affidavits submitted during the previous
827 year;
- 828 (iv) the range of total amounts disclosed on affidavits submitted during the previous
829 year; and
- 830 (v) any recommended legislation that may help reduce the cost of adoptions.
- 831 (c) The Health and Human Services Interim Committee shall, based on information in
832 reports provided under Subsection (3)(b) and in consultation with a consortium
833 described in Subsection 26B-2-127(8), consider:
- 834 (i) what constitutes reasonable fees and expenses related to adoption; and
835 (ii) the standards that may be used to determine whether fees and expenses related to
836 adoption are reasonable in a specific case.
- 837 (4) The Judicial Council shall make a copy of each report provided by the Office of
838 Licensing under Subsection (3)(b) available to each court that may be required to review
839 an affidavit under Subsection (1)(c).
- 840 (5) This section does not apply if the prospective adoptive parent is the legal spouse of a
841 preexisting parent.

842 **Section 13. FY 2025 Appropriation.**

843 The following sums of money are appropriated for the fiscal year beginning July 1,

844 2024, and ending June 30, 2025. These are additions to amounts previously appropriated
845 for fiscal year 2025.

846 Subsection 13(a) **Operating and Capital Budgets**

847 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
848 Legislature appropriates the following sums of money from the funds or accounts
849 indicated for the use and support of the government of the state of Utah.

850 ITEM 1 To Department of Health and Human Services - Children, Youth, & Families

851 From General Fund \$245,000

852 Schedule of Programs:

853 Family Health \$245,000

854 The Legislature intends that the Department of Health and Human Services use the
855 appropriation under this item to provide pregnancy support services in accordance with
856 Section 26B-4-326.

857 Section 14. **Effective date.**

858 This bill takes effect on May 1, 2024.