

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. House Bill 289

PRINTER NO. 283

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

February 2, 2017

PRIME SPONSOR

Representative Toohil

DESCRIPTION AND PURPOSE OF BILL

House Bill 289 amends Part III (Adoption) of the Domestic Relations Code (Title 23).

The bill adds reasonable living expenses incurred by a birth mother (i.e. food, rent, utilities, maternity clothing) three months prior to birth and 60 days post birth and up to \$300 for expenses and transportation associated with prenatal, maternity, and post maternity care to the existing statutory list of permissible reimbursable expenses paid by adoptive parents during the course of an adoption.

The bill creates a new Section 2726 (Permissible Reimbursement of Expenses) to include both the proposed additions to the list, as well as the entire existing list of permissible reimbursable expenses related to an adoption, which is as follows:

- Medical and hospital expenses incurred by the birth mother for prenatal care and other medical and hospital services related to birth;
- Medical, hospital, and foster care expenses on behalf of the child prior to the decree of adoption;
- Reasonable expenses incurred by an agency or third party for counseling and training services that are provided to the adoptive parents and for home studies or investigations; and
- Reasonable expenses incurred by an agency for administrative costs, including overhead and attorney fees.

Payments of this nature are not in violation of Section 4305 (relating to dealing in infant children) of Title 18 (Crimes Code).

The bill repeals Sections 2533 and 2534 (relating to a report by an intermediary) to eliminate the requirement for a report of intermediary in the adoption process.

The bill amends Section 2701 (relating to contents of petition for adoption) to require the petition for adoption to include the following information:

- The names, ages, and marital status of the birth parents;
- The racial background of the birth parents and child;
- The age, sex, date and place of birth of the child;
- The religious affiliation of the birth parents and child;

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- An account of any money paid to the intermediary;
- A statement that medical information was obtained or a statement explaining why it was not; and
- A statement confirming that statutes regulating interstate placement of a child have not been violated.

The bill amends Section 2702 (relating to exhibits) to require the following documents to be attached to the petition for adoption:

- A birth certificate or a certification of registration of birth of the child, if obtainable;
- A court decree terminating parental rights and duties; and
- A full description and statement of value of any property owned or possessed by the child.

This act shall take effect in 60 days.

FISCAL IMPACT:

House Bill 289 will have no fiscal impact to the Commonwealth.