HLS 10RS-1577 **ORIGINAL**

Regular Session, 2010

HOUSE BILL NO. 737

BY REPRESENTATIVE LEGER

ADOPTION: Provides relative to persons who may petition to adopt

AN ACT

To amend and reenact Children's Code Articles 1198 and 1221 and R.S. 40:79(A)(2)(a), relative to adoption; to provide for persons who may file a petition for adoption; to provide for the issuance of a new birth certificate; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Children's Code Articles 1198 and 1221 are hereby amended and reenacted to read as follows:

Art. 1198. Persons who may petition for adoption

A single person or two single persons jointly, eighteen years or older, or a married couple jointly may petition to adopt a child through an agency. When one joint petitioner dies after the petition has been filed, the adoption proceedings may continue as though the survivor was a single original petitioner.

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Art. 1221. Persons who may petition for adoption

A single person or two single persons jointly, eighteen years or older, or a married couple jointly may petition to privately adopt a child. When one joint petitioner dies after the petition has been filed, the adoption proceedings may continue as though the survivor was a single original petitioner.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

Section 2. R.S. 40:79(A)(2)(a) is hereby amended and reenacted to read as follows:

§79. Record of adoption decree

A.

* * *

(2)(a) If the child is adopted by a married couple or two single persons jointly, the names of both parties shall be recorded as the parents, even if one of the petitioning parties dies prior to entry of the final judgment of adoption.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Leger HB No. 737

Abstract: Authorizes adoption by two single persons jointly.

Present law provides that a single person or a married couple jointly may petition to adopt a child.

Proposed law retains present law and additionally provides that two single persons jointly may petition to adopt a child.

Present law provides that upon a final decree of adoption, the state registrar shall make a new certificate of live birth of the person adopted in certain circumstances.

Proposed law requires the registrar to make a new certificate of live birth of the person adopted by two single persons jointly and requires the name of both parties to be recorded as the parents.

(Amends Ch.C. Arts. 1198 and 1221 and R.S. 40:79(A)(2)(a))

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