

April 6, 2009

**H 1106. AMEND ADOPTION LAWS.** Filed 4/6/09. *AMENDING AND CLARIFYING VARIOUS PROVISIONS UNDER THE LAWS PERTAINING TO ADOPTION.*

Current adoption laws in this state provide that an assessment prepared in another state that does not meet the requirements as specified by GS 48-1-109 and GS 48-3-303(c) through (h) must be updated by a county department of social services in this state or an agency licensed by the NC Department of Health and Human Services (DHHS) before that assessment may be used in this state. Amends GS 48-1-109 to additionally provide that an assessment prepared in another state that does not meet the specified requirements may also be updated by a person or entity authorized to gather the necessary information pursuant to the laws of the state where the prospective adoptive parent resides. Expands the approved recipients for *an order for a report to the court* to include a person or entity authorized under the laws of the petitioner's state of residence to prepare home assessments for adoption proceedings (was, the order for a report to the court had to be sent either to a county department of social services in this state or an agency licensed by DHHS). Should the petitioner move to a different state before the agency completes the report, directs the agency to request a report pursuant to the Interstate Compact of the Placement of Children (GS Chapter 7B, Article 38), from a person or entity authorized to prepare home assessments for adoption proceedings under the laws of the petitioner's new state.

Amends GS 48-2-301 to provide that if a man and a woman, while married to one another, adopted a minor child in a foreign county, they may file jointly for re-adoption regardless of whether the man and woman have since divorced. Amends GS 48-2-401 to provide that issuing a summons is not a requirement to beginning an adoption proceeding under GS Chapter 48.

Amends GS 48-2-501(d), regarding the adoption of a minor by the minor's grandparent when the minor has lived with the grandparent for at least two consecutive immediately preceding the filing of the petition, to provide that the court may order a report but is not required to do so unless the minor's consent is to be waived or the minor has revoked consent.

Under current law consent to the adoption of an infant in utero or any minor may be revoked within seven days following the day on which the adoption is executed, inclusive of weekends and holidays. Amends GS 48-3-608(a) to provide that when the final day of the revocation period falls on a Saturday, Sunday, or a legal holiday when North Carolina courthouses are closed for transactions (was, falls on a weekend or North Carolina or federal holiday), the revocation period extends to the next business day. Makes a similar change to GS 48-3-706(a) concerning revoking a relinquishment of an infant who is in utero or any minor.

**Intro. by Rhyne, Goodwin.**

GS 48

May 4, 2009

**H 1106. AMEND ADOPTION LAWS.** Filed 4/6/09. House committee substitute makes the following changes to 1st edition. Amends GS 48-2-301(c) to make it mandatory for married couples who jointly adopt a minor child in a foreign country to readopt the child as provided in GS 48-2-205, which is amended accordingly, regardless of whether they have since divorced. Adds minors eligible for adoption assistance under GS 108A-49 to the list of those for whom the court must prepare a report under GS 48-2-501(d)(2).

June 29, 2009

**SL 2009-185 (H 1106). AMEND ADOPTION LAWS. AN ACT AMENDING AND CLARIFYING VARIOUS PROVISIONS UNDER THE LAWS PERTAINING TO ADOPTION.**  
Summarized in *Daily Bulletin* 4/6/09 and 5/4/09. Enacted June 26, 2009. Effective June 26, 2009.