

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

H

D

HOUSE BILL 637
PROPOSED COMMITTEE SUBSTITUTE H637-PCS11194-TJ-4

Short Title: Adoption Law Changes.

(Public)

Sponsors:

Referred to:

April 6, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE LAWS APPLICABLE TO ADOPTIONS, AS RECOMMENDED
3 BY THE NORTH CAROLINA BAR ASSOCIATION.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 48-3-608(b) reads as rewritten:

6 "(b) In a direct placement, if:

7 (1) A preplacement assessment is required, and

8 (2) Placement occurs before the preplacement assessment is given to the parent
9 or guardian who is placing the minor, then that individual's time under
10 subsection (a) of this section to revoke any consent previously given shall be
11 either five business days after the date the individual receives the
12 preplacement assessment prepared substantially in conformance with the
13 requirements of G.S. 48-3-303, or the remainder of the time provided in
14 subsection (a) of this section, whichever is longer. The date of receipt is the
15 earlier of the date of actual receipt or the date established pursuant to
16 G.S. 48-3-307."

17 **SECTION 2.** G.S. 48-3-303(c)(12) reads as rewritten:

18 "(12) The agency preparing the preplacement assessment may redact from the
19 preplacement assessment provided to a placing parent or guardian detailed
20 information reflecting the prospective adoptive parent's income and financial
21 account balances and detailed information about the prospective adoptive
22 parent's extended family members, including surnames, names of employers,
23 names of schools attended, social security numbers, telephone numbers and
24 addresses, and other similarly detailed information about extended family
25 members obtained under subsections (b) and (c) of this section."

26 **SECTION 3.** G.S. 48-2-302(a) is repealed.

27 **SECTION 4.** G.S. 48-2-401(a) reads as rewritten:

28 "(a) No later than 30 days after a petition for adoption is filed pursuant to Part 3 of this
29 Article, the petitioner shall initiate service of~~serve~~ notice of the filing on the persons required to
30 receive notice under subsections (b), (c), and (d) of this section."

31 **SECTION 5.** G.S. 48-3-707(a) reads as rewritten:

32 "(a) A relinquishment shall become void ~~if~~ if any of the following occur:



* H 6 3 7 - P C S 1 1 9 4 - T J - 4 *

- 1 (1) Before the entry of the adoption decree, the individual who executed the
2 relinquishment establishes by clear and convincing evidence that it was
3 obtained by fraud or duress.
4 (2) Before placement with a prospective adoptive parent occurs, the agency and
5 the person relinquishing the minor agree to rescind the relinquishment.
6 (3) After placement with a prospective adoptive parent occurs, but before the
7 entry of the adoption decree, the agency, the person relinquishing the minor,
8 and the prospective adoptive parent agree to rescind the relinquishment."
9 **SECTION 6.** This act becomes effective October 1, 2011, and applies to actions
10 filed on or after that date.