


Chairman Phil Mendelson

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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Title 16 of the District of Columbia Official Code to entitle a couple who uses assisted reproductive technology to an expedited adoption.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this act may be cited as the “Expedited Adoption Eligibility Amendment Act of 2021”.

Sec. 2. Chapter 3 of Title 16 of the District of Columbia Official Code § 16-301 is

amended as follows:

(a) The table of contents is amended by adding a new section designation to read as

follows:

“Sec 318. Expedited Adoption Eligibility.”.

(b) A new section 318 is added to read as follows:

“Sec. 318. Expedited Adoption Eligibility.

“(a) Notwithstanding any other requirement of this Chapter, a couple that uses assisted reproductive technology to produce a child of their union may petition the Court for an adoption pursuant to this section.

“(b)(1) Each member of the couple seeking an adoption pursuant to this section shall join in a Petition for Adoption.

“(2) The Petition for Adoption shall be under oath or affirmation of the petitioners and shall contain the following:

33 “(A) the name, sex, date, and place of birth of the prospective adoptee;

34 “(B) the name, date of birth and addresses of the petitioners;

35 “(C) the relationship of the prospective adoptee to the petitioners;

36 “(D) a statement of how the prospective adoptee was conceived;

37 “(E) the date that the prospective adoptee commenced residing with
38 petitioners;

39 “(F) any change of name of the prospective adoptee which may be desired
40 by Petitioners; and

41 “(G) any change of how the prospective adoptee’s birth certificate should
42 identify Petitioners as parents of the prospective adoptee.

43 “(3) In a proceeding under this section, Petitioners shall file as exhibits to the
44 Petition for Adoption:

45 “(A) A certified copy of any document that evidences the petitioners’
46 relationship, such as a marriage certificate or domestic partnership, except that official Consent
47 to Parent documents may be submitted as copies;

48 “(B) A certified copy of the prospective adoptee’s birth certificate; and

49 “(C) A sworn statement by Petitioners that no written agreement pursuant
50 to § 16-909.01 has been executed.

51 “(4) The joint filing of the Petition of Adoption is assumed consent by the birth
52 parent, provided that words of consent must be explicitly pled in the Petition for Adoption by the
53 birth parent.

54 “(d) The Court may waive a court hearing pursuant to DC Code Rule 9 for an adoption
55 under section pursuant to the Court’s Rules.

56 “(e) Notwithstanding Section 502 of the Prevention of Child Abuse and Neglect Act of
57 1977, effective June 27, 2000 (D.C. Official Code § 4-1305.02), no criminal records check shall
58 be required for an adoption made pursuant to this section.

59 “(f) Upon receipt of the Petition for Adoption and accompanying exhibits as set forth in
60 this section, the Court shall issue a Final Decree of Adoption to Petitioners. Four certified copies
61 of the Final Decree of Adoption shall be forwarded to Petitioners or their counsel at no additional
62 cost.

63 “(g) For the purposes of section, the term:

64 “(1) “Couple” means the birth and non-birth parents of:

65 “(A) A married couple;

66 “(B) Domestic partners registered in the District of Columbia;

67 “(C) Civil Union partners;

68 “(D) Any bond or relationship equivalent to any of this subsection; or

69 “(E) Individuals who are conclusive parents pursuant to D.C. Code §16-

70 909 (e)(1).

71 “(2) “Reproductive technology means any noncoital method of conception that is

72 used to treat infertility with donor or nondonor eggs and sperm including in vitro fertilization

73 (IVF), gamete intrafallopian transfer (GIFT), and zygote intrafallopian transfer (ZIFT).

74 “(h) This section shall not apply to a non-consensual adoption.”.

75 Sec. 3. Fiscal impact statement.

76 The Council adopts the fiscal impact statement in the committee report as the fiscal

77 impact statement required by section 4a of the General Legislative Procedures Act of 1975,

78 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

79 Sec. 4. Effective date.

80 This act shall take effect following approval of the Mayor (or in the event of veto by the
81 Mayor, action by the Council to override the veto), a 60-day period of congressional review as
82 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
83 24, 1973 (87 Stat. 813; D.C Official Code § 1-206.22(c)(1)), and publication in the District of
84 Columbia Register.