

Regular Session, 2010

HOUSE BILL NO. 901

BY REPRESENTATIVE LEGER

ADOPTION: Provides relative to persons whose names may be recorded as parents of an adopted child and categories of persons who may petition for adoption

1 AN ACT

2 To amend and reenact R.S. 40:79(A)(2)(a) and Children's Code Articles 1198, 1221, and
3 1243(A)(2), relative to adoption; to provide for names which shall be recorded as
4 parents of an adopted child; to provide for persons who may petition for adoption;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:79(A)(2)(a) is hereby amended and reenacted to read as follows:

8 §79. Record of adoption decree

9 A.

10 * * *

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

14 * * *

15 Section 2. Children's Code Articles 1198, 1221, and 1243(A)(2) are hereby amended
16 and reenacted to read as follows:

17 Art. 1198. Persons who may petition for adoption

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

22 * * *

1 Art. 1221. Persons who may petition for adoption

2 A single person, eighteen years or older, two single persons jointly, eighteen
3 years or older, or a married couple jointly may petition to privately adopt a child.

4 When one joint petitioner dies after the petition has been filed, the adoption
5 proceedings may continue as though the survivor was a single original petitioner.

6 * * *

7 Art. 1243. Persons who may petition for intrafamily adoption

8 A. A stepparent, stepgrandparent, great-grandparent, grandparent, aunt, great
9 aunt, uncle, great uncle, sibling, or first, second, or third cousin may petition to adopt
10 a child if all of the following elements are met:

11 * * *

12 (2) The petitioner is a single person over the age of eighteen, two single
13 persons jointly over the age of eighteen, or a married person whose spouse is a joint
14 petitioner.

15 * * *

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. 901

Abstract: Allows for two single adults jointly to petition for adoption, and for the names of two single adults jointly to be recorded as parents of an adopted child.

Present law provides for persons whose names may be recorded as parents of an adopted child and for categories of persons who may petition for adoption.

Proposed law retains present law, but adds persons whose names may be recorded as parents of an adopted child and persons who may petition for adoption.

Proposed law allows the names of two single adults jointly to be recorded as parents of an adopted child.

Proposed law allows two single adults jointly to petition for adoption.

(Amends R.S. 40:79(A)(2)(a) and Ch.C. Arts. 1198, 1221, and 1243(A)(2))