

2016 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 79

BY REPRESENTATIVES EDMONDS, ADAMS, AMEDEE, BACALA, BAGLEY, BAGNERIS, COUSSAN, EMERSON, FALCONER, LANCE HARRIS, HOFFMANN, HORTON, JACKSON, MIKE JOHNSON, LEBAS, LEGER, LYONS, PEARSON, AND PYLANT AND SENATOR PEACOCK

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study the laws regarding adoptions and adoption incentives in Louisiana and to submit a written report of its findings with recommendations relative to establishing consistent and specific procedures and laws for all types of adoption to address abuse of incentives in the adoption process in Louisiana.

WHEREAS, Louisiana has many children who are available for adoption; and

WHEREAS, the Children's Code provides for various types of adoption in Louisiana;

and

WHEREAS, Louisiana law provides procedures for private adoption and agency or intrafamily adoptions and differences in the laws regarding private adoptions and agency adoptions may create certain advantages for some parties in the adoption process; and

WHEREAS, while other states have specific laws addressing "Adoption Incentives" and laws that set limits on the incentives provided to birth mothers, Louisiana does not; and

WHEREAS, without these laws in Louisiana, the potential for monetary gain and exploitation exists in the adoption process and the emotional impact of wrongful adoptions on families is significant; and

WHEREAS, the prevention of exploitation and wrongful adoptions in the adoption process should be of the utmost importance to the people of Louisiana.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Louisiana State Law Institute to compile data relative to the rules and procedures for the adoption of children in Louisiana, to study the laws regarding adoptions and adoption incentives, and to make recommendations relative to establishing consistent

and specific procedures and laws for all types of adoption and for addressing the abuse of incentives in the adoption process.

BE IT FURTHER RESOLVED that a written report of its findings and recommendations be submitted to the House Committee on Civil Law and Procedure and the Senate Committee on Judiciary A no later than sixty days prior to the 2018 Regular Session of the Legislature of Louisiana.

BE IT FURTHER RESOLVED that a suitable copy of this Resolution be transmitted to the director of the Louisiana State Law Institute.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE