

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. **Bill Number:** HB783

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. **Patron:** Herring

3. **Committee:** Courts of Justice

4. **Title:** Adoption; parental placement and agency adoption.

5. **Summary:** Makes various changes to statutes governing parental placement and agency adoptions. The bill authorizes a hospital to release a child to his adoptive parents when the birth parent has executed a health care power of attorney. The bill provides that when a juvenile and domestic relations district court enters an order waiving the consent of one or both birth parents who have failed, without good cause, to appear at a hearing to execute consent for which they were given proper notice and transferring custody of a child who has been in the physical care and custody of prospective adoptive parents, such adoption shall be considered a parental placement adoption. The bill also allows the juvenile and domestic relations court to find, even if a birth parent has been given proper notice and appears at a hearing to execute consent or withholds consent, that the consent of such birth parent is withheld contrary to the best interest of the child or is unobtainable. The bill also clarifies that the effect of an order of the juvenile and domestic relations district court accepting a birth parent's consent and finding that any applicable revocation period has expired is to terminate a consenting birth parent's residual parental rights. The bill provides that a juvenile and domestic relations court shall accept consent from an out-of-state birth parent. Under current law, a juvenile and domestic relations district court is required to request consent from an out-of-state court having jurisdiction over custody matters in the jurisdiction where a birth parent resides when such birth parent does not reside in the Commonwealth. The bill adds licensed child-placing agencies and prospective adoptive parents to those with the authority to consent to surgical and medical treatment of certain minors, subject to certain requirements. The bill decreases from 45 to 10 days the time for which a hearing is required to be held upon the filing of a petition for the approval of an entrustment agreement by a local board of social services or a child welfare agency. The bill also makes technical amendments.

6. **Budget Amendment Necessary:** No.

7. **No fiscal impact.**

8. **Fiscal Implications:** This bill impacts parental placement adoptions and language used to delegate parental or legal custodial powers. It has no fiscal impact on the Department of Social Services.

9. Specific Agency or Political Subdivisions Affected: Department of Social Services

10. Technical Amendment Necessary: No.

11. Other Comments: None.