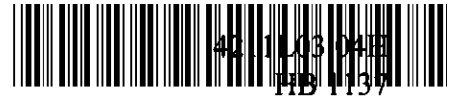


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HOUSE _____ **AMENDMENT NO.** 1

Offered By

Barnes

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1 AMEND House Committee Substitute for House Bill No. 1137, Page 1, Title, Line 3, by deleting
2 the word "records"; and

3
4 Further amend said bill, Page 2, Section 193.132, Line 47, by inserting after all of said section and
5 line the following:

6
7 "211.444. 1. The juvenile court may, upon petition of the juvenile officer or a
8 child-placing agency licensed under sections 210.481 to 210.536 in conjunction with a placement
9 with such agency under subsection 6 of section 453.010, the children's division, or the court
10 before which a petition for adoption has been filed pursuant to the provisions of chapter 453,
11 terminate the rights of a parent or approve the consent to adoption or waiver of consent to
12 adoption by a parent, as defined in section 211.442, or of a named father to a child, including a
13 child who is a ward of the court, if the court finds that such termination or consent to adoption or
14 waiver of consent to adoption is in the best interests of the child and the parent, as defined in
15 section 211.442, has consented in writing to the termination of his or her parental rights or
16 consented or waived consent to the adoption.

17 2. The written consent required by subsection 1 of this section may be executed before or
18 after the institution of the proceedings and shall be acknowledged before a notary public. In lieu
19 of such acknowledgment, the signature of the person giving the written consent shall be witnessed
20 by at least two adult persons who are present at the execution whose signatures and addresses
21 shall be plainly written thereon and who determine and certify that the consent is knowingly and
22 freely given. The two adult witnesses shall not be the prospective parents. The notary public or
23 witnesses shall verify the identity of the party signing the consent.

24 3. The written consent required by subsection 1 of this section shall be valid and effective
25 only after the child is at least forty-eight hours old and if it complies with the other requirements
26 of section 453.030.

27 453.065. As used in sections 453.065 to 453.074, the following words and terms shall
28 have the meanings indicated:

29 (1) "Child", a person within the state who is under the age of eighteen or in the custody of

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1 the division of family services who is in need of medical, dental, educational, mental or other
2 related health services and treatment, as defined in this section, or who belongs to a racial or
3 ethnic minority, who is five years of age or older, or who is a member of a sibling group, and for
4 whom an adoptive home is not readily available. If the physical, dental or mental condition of the
5 child requires care after the age of eighteen, payment can be continued with the approval of the
6 division of family services of the department of social services and subject to annual review;

7 (2) "Diminishing allotment", a monthly payment which periodically diminishes over a
8 period of not longer than four years at which time it ceases;

9 (3) "Long term subsidy", a continuous monthly payment toward the child's care for a
10 period of more than four years;

11 (4) "Post adoption contract agreement", a written agreement approved by the court under
12 subsection 4 of section 453.080;

13 (5) "Special services", an allotment to a child who is in need of medical, dental,
14 educational, mental health or other related health services and treatment, including treatment for
15 physical handicap, intellectual impairment, developmental disability, mental or emotional
16 disturbance, social maladjustment;

17 [(5)] (6) "Time limited subsidy", a monthly allotment which is continued for a limited
18 time after legal adoption, not exceeding four years. This compensation is to aid the family in
19 integrating the care of the new child in their home."; and

20
21 Further amend said bill, Section 453.080, Page 3, Lines 33-38, by removing all of said lines and
22 inserting in lieu thereof the following:

23
24 "4. Before the completion of an adoption, the exchange of information among the parties
25 shall be at the discretion of the parties. Prospective adoptive parents and parents of a prospective
26 adoptee may enter into a written post adoption contract agreement to allow contact after the
27 adoption between the parents, siblings, or other relatives of the adoptee and the adoptee and the
28 adoptive parents. Upon completion of an adoption, further contact among the parties shall be at
29 the discretion of the adoptive parents, and such adoptive parents may exercise their discretion to
30 enter into a written post adoption contract agreement with the former parents of an adoptee to
31 allow contact between a former parent, sibling, or other relative of the adoptee and the adoptee or
32 adoptive parents. The agreement shall be in writing, signed by the parties thereto, and be made a
33 part of the court record. The agreement shall include:

34 (1) An acknowledgment by the former parents that the adoption is irrevocable, even if the
35 adoptive parents do not abide by the post adoption contract agreement;

36 (2) An acknowledgment by the adoptive parents that the agreement grants the former

1 parents the right to seek to enforce the post adoption privileges set forth in the agreement.
2
3 The court shall enforce a written post adoption contract agreement made in accordance with this
4 subsection unless enforcement is not in the best interest of the adoptee. The court shall not have
5 jurisdiction to deny continuing contact between the adopted person and the birth parent, or an
6 adoptive parent and a birth parent. Additionally, the court shall not have jurisdiction to deny an
7 exchange of identifying information between an adoptive parent and a birth parent.”; and
8
9 Further amend said bill by amending the title, enacting clause, and intersectional references
10 accordingly.

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