

House Bill 200 Sectional Analysis

HB 200, "An Act establishing procedures related to a petition for adoption of a child in state custody; adding a definition of 'proxy for a formal petition'; amending Rule 6(a), Alaska Adoption Rules; and providing for an effective date."

Sectional Analysis:

- Section 1 Adds a new section outlining Legislative intent.
- Section 2 Adds a new subsection to AS 25.23.030, which states a petition filed for adoption must comply with AS 47.10.111.
- Section 3 Adds new subsection AS 47.10.111 stating that the adoption proceedings for a child in state custody, who is considered a child in need of aid, is initiated within child in need of aid proceedings. Proceedings to adopt a child in state custody are initiated by filing a petition under AS 25.23.080 or proxy for a formal petition. This section outlines that "proxy for formal petition" means a request by a relative, tribal member, or other Indian family interested in immediate placement and adoption of a child at any court hearing in a CINA proceeding. Requests for adoption can be submitted in person, through mail or electronic mail, via fax or on the telephone. This subsection allows the department regulatory authority to implement this section.
- Section 4 Adds to the Direct Court Rule 6(a)(1) subsection (1) that an adoption petition must include information required by AS 25.23.080, except an exception under (4) of this rule.
- Section 5 Adds to the Direct Court Rule 6(a)(1) subsection (4) adding that a proceeding must commence when a formal petition is submitted or the proxy for a formal petition is submitted under the new subsection AS 47.10.111 (b) and shall be heard within the Child In Need of Aid proceeding.
- Section 6 Adds uncodified law that if enacted by Section 2 and 3, this act applies to all adoption proceedings filed on or after the effective date of this act.
- Section 7 Adds a new section to Regulations allowing Department of Health and Social Services authority to adopt regulations to implement this Act, and that the regulations will take effect not before the effective date of this Act
- Section 8 Sets an immediate effective date for section 7 of this Act.