

Original sponsor(s): REP. ULMER

1 IN THE HOUSE

BY THE HESS COMMITTEE

2

CS FOR HOUSE BILL NO. 438 (HESS)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to adoption."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 \* Section 1. AS 25.23.130(a) is amended to read:

9 (a) A final decree of adoption, whether issued by a court of  
10 this state or of any other state, has the following effect as to  
11 matters within the jurisdiction or before a court of this state:

12 (1) except with respect to a spouse of the petitioner and  
13 relatives of the spouse and except as provided in (c) and (f) of this  
14 section, to relieve the natural parents of the adopted person of all  
15 parental rights and responsibilities [,] and [, EXCEPT AS PROVIDED IN  
16 (c) OF THIS SECTION,] to terminate all legal relationships between the  
17 adopted person and the natural parents and other relatives of the  
18 adopted person, so that the adopted person thereafter is a stranger to  
19 the former relatives for all purposes including inheritance, unless  
20 the decree of adoption specifically provides for continuation of  
21 inheritance rights, and the interpretation or construction of docu-  
22 ments, statutes, and instruments, whether executed before or after the  
23 adoption is decreed, which do not expressly include the person by name  
24 or by some designation not based on a parent and child or blood rela-  
25 tionship; and

26 (2) to create the relationship of parent and child between  
27 petitioner and the adopted person, as if the adopted person were a  
28 legitimate blood descendant of the petitioner, for all purposes in-  
29 cluding inheritance and applicability of statutes, documents, and

1 instruments, whether executed before or after the adoption is decreed,  
2 which do not expressly exclude an adopted person from their operation  
3 or effect.

4 \* Sec. 2. AS 25.23.130 is amended by adding a new subsection to read:

5 (f) A court may issue an adoption decree granting an adoption by  
6 a petitioner who is not married to a natural parent of the adopted  
7 person without terminating the parental rights and responsibilities of  
8 the natural parent if the court makes a specific finding that re-  
9 tention of the natural parent's rights and responsibilities is in the  
10 best interests of the adopted person and the natural parent consents.