

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

HOUSE BILL NO. 2147

By: Boyd (Betty)

AS INTRODUCED

An Act relating to children; amending 10 O.S. 1991, Sections 60.4 and 60.10, which relate to adoptions; making certain proceedings apply to intrastate adoptions; prohibiting certain decrees; providing exceptions; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 10 O.S. 1991, Section 60.4, is amended to read as follows:

Section 60.4 Proceedings for adoption may be brought in the district court, or any specially created court having jurisdiction in the county where the petitioners or the child to be adopted reside. The provisions of this section shall only apply to intrastate adoptions and shall not apply to interstate adoptions.

SECTION 2. AMENDATORY 10 O.S. 1991, Section 60.10, is amended to read as follows:

Section 60.10 A. Withdrawal of any consent for adoption of a child pursuant to Section 60.5 of this title shall not be permitted, except that the court pursuant to the provisions of this section may, if it finds that the best interest of the child will be furthered thereby, issue a written order permitting the withdrawal of such consent if a petition for leave to withdraw consent is submitted in writing not later than thirty (30) days after consent was executed.

B. Notice of the petition to withdraw the consent and hearing on the petition to withdraw consent to the adoption shall be provided to:

1. The person who filed for adoption of the child;
2. Any agency participating in the adoption; and
3. To any person or agency in whose favor the consent was given.

The court shall provide an opportunity to be heard to the person who has filed for adoption and to any agency participating in the adoption as to why the withdrawal of consent would not be in the best interest of the child.

C. No interlocutory or final decree of adoption shall be entered until after the time for the filing of a petition to withdraw consent to adoption has expired.

D. The entry of the interlocutory or final decree of adoption renders any consent irrevocable.

SECTION 3. This act shall become effective September 1, 1994.

44-2-7623

KSM