

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

HOUSE BILL NO. 1999

By: Seikel

AS INTRODUCED

An Act relating to children; creating the Oklahoma Child Placement for Purposes of Adoption Act; providing purpose and policy; defining terms; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5001 of Title 10, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Oklahoma Child Placement for Purposes of Adoption Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5002 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. The Legislature of this state finds that disruptive adoptive placements often have a profound and negative impact on all individuals, particularly children, involved in an adoption proceeding. The purpose of this article is to establish a state policy which will promote the integrity and finality of adoptions to ensure that children placed in adoptive placement will be raised in stable and permanent families. To this effect, the Legislature also

recognizes the rights and interests of the birth mother, the father and adoptive parents of the child.

B. It is therefore the policy of this state that:

1. When conflict arises over the custody of a child in an adoption proceeding and the matter is referred to a court of law, the best interests of the child shall be given paramount consideration and decisions shall be made expeditiously.

2. Any man who fathers a child outside of marriage is presumed to know of the pregnancy and that the child may be placed for adoption without his consent unless he strictly complies with the provisions of this article and manifests a prompt and full commitment to his parental responsibilities and establishes his paternity of the child as provided in this article.

3. Parents of a child conceived or born outside of marriage are responsible for their own actions and shall not be excused from strictly complying with the provisions of this article based upon any action or statement of the other parent.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5003 of Title 10, unless there is created a duplication in numbering, reads as follows:

As used in the Oklahoma Child Placement for Purposes of Adoption Act:

1. "Child" means any unmarried or unemancipated person under the age of eighteen (18) years and includes an unborn child;

2. "Presumed father" means any man presumed to be the father of a child pursuant to Section 2 of Title 10 of the Oklahoma Statutes;

3. "Alleged father" means a man whom the birth mother of the child has identified as or who believes himself to be the biological father of the child but who has not acknowledged paternity pursuant to this act or registered with the putative father registry;

4. "Putative father" means a man who has acknowledged paternity of a child pursuant to the putative father registry;

5. "Permanent relinquishment" means the voluntary surrender of the parental rights of a parent or the legal custodial rights of a guardian with respect to a child for purposes of the child's adoption; and

6. "Department" means the Department of Human Services.

SECTION 4. This act shall become effective January 1, 1996.

45-1-6368

KSM