

ENROLLED HOUSE
BILL NO. 1250

By: Young, Dorman, Jackson and
Wesselhoft of the House

and

Monson and Gumm of the
Senate

An Act relating to children; amending 10 O.S. 2001,
Section 7003-5.6h, which relates to permanency
hearings; expanding adoption options for certain
purposes; and providing an effective date.

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

SECTION 1. AMENDATORY 10 O.S. 2001, Section 7003-5.6h,
is amended to read as follows:

Section 7003-5.6h A. During any permanency hearing, if it is
determined by the court that a child should be placed for adoption,
the foster parent of the child ~~may~~ shall be considered eligible to
adopt the child, ~~provided if~~ provided if the foster parent meets established
eligibility requirements pursuant to this section.

B. If the child has resided with a foster parent for at least
one (1) year, the court shall give great weight to the foster parent
in the adoption consideration for the child unless there is an
existing loving emotional bond with a relative of the child by blood
or marriage who is willing, able and eligible to adopt the child.

C. In making such determination, the court shall consider
whether the child has become integrated into the foster family to
the extent that the child's familial identity is with the foster
family, and whether the foster family is able and willing
permanently to treat the child as a member of the family. The court
shall consider, without limitation:

1. The love, affection, and other emotional ties existing
between the child and the relatives of the child, and the child's
ties with the foster family;

2. The capacity and disposition of the child's relatives as
compared with that of the foster family to give the child love,
affection, and guidance and to continue the education of the child;

3. The length of time a child has lived in a stable,
satisfactory foster home and the desirability of the child's
continuing to live in that environment;

4. The physical and mental health of the relatives of the child
as compared with that of the foster family;

5. The experiences of the child in the home, school, and community, both when with the parents from whom the child was removed and when with the foster family; and

6. Any other factor considered by the court to be relevant to a particular placement of the child.

SECTION 2. This act shall become effective November 1, 2005.

Passed the House of Representatives the 28th day of February, 2005.

Presiding Officer of the House of
Representatives

Passed the Senate the 12th day of April, 2005.

Presiding Officer of the Senate