

EHB 1250

THE STATE SENATE
Monday, April 11, 2005

ENGROSSED

House Bill No. 1250

ENGROSSED HOUSE BILL NO. 1250 - By: YOUNG, DORMAN, JACKSON and WESSELHOFT of the House and MONSON 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~~ 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

1 the extent that the child's familial identity is with the foster
2 family, and whether the foster family is able and willing
3 permanently to treat the child as a member of the family. The court
4 shall consider, without limitation:

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

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

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

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

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

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

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

22 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 4-5-05 - DO PASS,
23 As Coauthored.