

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 615

Short Title: Adoption Law Changes. (Public)

Sponsors: Senators Galey, Barnes, and Krawiec (Primary Sponsors).

Referred to: Rules and Operations of the Senate

April 6, 2023

A BILL TO BE ENTITLED

AN ACT TO ALLOW ADULT ADOPTees TO BE ADOPTED BY A FORMER STEPPARENT, THE REMOVAL OF CERTAIN REDACTION RESTRICTIONS FROM ADOPTION HOME STUDIES, AND THE EXPANSION OF ACKNOWLEDGMENT OPTIONS FOR AGENCY RELINQUISHMENTS FOR ADOPTION.

The General Assembly of North Carolina enacts:

PART I. ADOPTION OF ADULT ADOPTEE BY FORMER STEPPARENT

SECTION 1.1. G.S. 48-1-101 is amended by adding a new subdivision to read:

"(7a) "Former stepparent" means an individual who was the spouse of a parent of a child, but who is not a genetic parent or adoptive parent of the child, and who has become divorced from the parent of the child."

SECTION 1.2. G.S. 48-1-106 reads as rewritten:

"§ 48-1-106. Legal effect of decree of adoption.

...

(c) ~~A~~Subject to subsection (d) of this section, a decree of adoption severs the relationship of parent and child between the individual adopted and that individual's biological or previous adoptive parents. After the entry of a decree of adoption, the former parents are relieved of all legal duties and obligations due from them to the adoptee, except that a former parent's duty to make past-due payments for child support is not terminated, and the former parents are divested of all rights with respect to the adoptee.

(d) Notwithstanding any other provision of this section, ~~neither an adoption by a stepparent nor a readoption pursuant to G.S. 48-6-102 has any effect on the relationship between the child and the parent who is the stepparent's spouse; a decree of adoption shall not affect the relationship between the child and the parent who is the stepparent's spouse or the stepparent's former spouse in any of the following circumstances:~~

(1) An adoption by a stepparent.

(2) An adoption of an adult adoptee by a former stepparent who is unmarried or whose current spouse does not join in the petition.

(3) A readoption pursuant to G.S. 48-6-102.

...."

SECTION 1.3. G.S. 48-5-101(b) reads as rewritten:

"(b) If a prospective adoptive parent is married, both spouses must join in the petition unless the prospective adoptive parent is the adoptee's ~~stepparent~~ stepparent, former stepparent, or ~~unless~~ the court waives this requirement for cause."



PART II. REDACTION OF INFORMATION FROM ADOPTION HOME STUDY

SECTION 2.1. G.S. 48-3-202(b) reads as rewritten:

"(b) Information about a prospective adoptive parent shall be provided to a prospective placing parent or guardian by the prospective adoptive parent, the prospective adoptive parent's attorney, or a person or entity assisting the parent or guardian. Except as otherwise provided in this subsection, this information shall include the preplacement assessment prepared pursuant to Part 3 of this Article, and may include additional information requested by the parent or guardian. ~~The agency preparing the preplacement assessment may redact from the preplacement assessment the information described in G.S. 48-3-303(e)(12).~~The information described in G.S. 48-3-303(c)(12) may be redacted from the preplacement assessment."

SECTION 2.2. G.S. 48-3-303(c)(12) reads as rewritten:

"(12) ~~The agency preparing the preplacement assessment may redact following information may be redacted~~ from the preplacement assessment provided to a placing parent or guardian (i) detailed information reflecting the prospective adoptive parent's income, expenditures, assets, liabilities, and social security numbers, ~~and (ii)~~ (ii) detailed information about the prospective adoptive parent's extended family members, including surnames, names of employers, names of schools attended, social security numbers, telephone numbers and addresses, ~~and and (iii)~~ (iii) other similarly detailed information about extended family members obtained under subsections (b) and (c) of this section."

PART III. EXPAND ACKNOWLEDGMENT OPTIONS FOR AGENCY RELINQUISHMENTS FOR ADOPTION

SECTION 3.1. G.S. 48-3-702(b) reads as rewritten:

"(b) The provisions of G.S. 48-3-605(b), (e), (f), ~~and (g)-(g), and (h)~~ also apply to a relinquishment executed under this Part."

PART IV. EFFECTIVE DATE

SECTION 4.1. This act becomes effective October 1, 2023.