

"AN ACT TO REQUIRE DUE CONSIDERATION OF A CHILD'S MINORITY RACE OR MINORITY ETHNIC HERITAGE IN FOSTER CARE PLACEMENTS AND INVESTIGATIONS FOR ADOPTIVE PLACEMENT; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. (A) In all custodial placements by the Department of Human Services in foster care or investigations conducted pursuant to Court order under Section 12 of Act 735 of 1977, as amended, the Revised Uniform Adoption Act, due consideration shall be given to the child's minority race or minority ethnic heritage.

(B) In the placement or adoption of a child of minority racial or minority ethnic heritage, in reviewing the placement, the court shall consider preference, and in determining appropriate placement, the court shall give preference, in the absence of good cause to the contrary, to (1) a relative or relatives of the child, or, if that would be detrimental to the child or a relative is not available, to (2) a family with the same racial or ethnic heritage as the child, or if that is not feasible, to (3) a family of different racial or ethnic heritage from the child that is knowledgeable and appreciative of the child's racial or ethnic heritage.

If the child's genetic parent or parents express a preference for placing the child in foster home or an adoptive home of the same or a similar religious background to that of the genetic parent or parents, in following the preferences in (1) or (2), the court shall place the child with a family that also meets the genetic parent's religious preference. Only if no family is available as described in (1) or (2) may the court give preference to a family described in (3) that meets the parent's religious preference.

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: April 13, 1987

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