

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Representative Ferrell**

A Bill

ACT 889 OF 1995
HOUSE BILL 1450

For An Act To Be Entitled

"AN ACT TO AMEND ARK. CODE § 9-9-215(a) TO AUTHORIZE
COURT-ORDERED VISITATION RIGHTS FOR FORMER RELATIVES OF
ADOPTED CHILDREN; AND FOR OTHER PURPOSES."

Subtitle

"TO AUTHORIZE COURT-ORDERED VISITATION
RIGHTS FOR FORMER RELATIVES OF ADOPTED
CHILDREN."

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

SECTION 1. Arkansas Code Annotated § 9-9-215(a) is hereby amended to
read as follows:

"(a) A final decree of adoption and an interlocutory decree of adoption
which has become final, whether issued by a court of this state or of any
other place, have the following effect as to matters within the jurisdiction
or before a court of this state:

(1) Except with respect to a spouse of the petitioner and
relatives of the spouse, to relieve the natural parents of the adopted
individual of all parental rights and responsibilities, and to terminate all
legal relationships between the adopted individual and his relatives *natural*,
including his natural parents, so that the adopted individual thereafter is a
stranger to his former relatives for all purposes. *This includes inheritance*
and the interpretation or construction of documents, statutes, and
instruments, whether executed before or after the adoption is decreed, which
do not expressly include the individual by name or by some designation not
based on a *parent and child or blood relationship*. *However, in cases where a*
natural or adoptive parent dies before a petition for adoption has been filed
by a step-parent of the minor to be adopted the Court may grant visitation

1 rights to the parents of the deceased natural or adoptive parent of the child
2 of such parents of the deceased natural or adoptive parent had a close
3 relationship with the child prior to the filing of a petition for step-parent
4 adoption, and if such visitation rights are in best interests of the child.
5 The foregoing provision shall not apply to the parents of a deceased putative
6 father who has not legally established his paternity prior to the filing of a
7 petition for adoption by a step-parent. For the purposes of this section
8 Step-Parent means an individual who is the spouse or surviving spouse of the
9 natural or adoptive parent of a child but who is not a natural or adoptive
10 parent of the child.

11 (2) To create the relationship of parent and child between
12 petitioner and the adopted individual, as if the adopted individual were a
13 legitimate blood descendant of the petitioner, for all purposes including
14 inheritance and applicability of statutes, documents, and instruments, whether
15 executed before or after the adoption is decreed, which do not expressly
16 exclude an adopted individual from their operation or effect."

17

18 SECTION 2. All provisions of this act of a general and permanent nature
19 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
20 Revision Commission shall incorporate the same in the Code.

21

22 SECTION 3. If any provision of this act or the application thereof to
23 any person or circumstance is held invalid, such invalidity shall not affect
24 other provisions or applications of the act which can be given effect without
25 the invalid provision or application, and to this end the provisions of this
26 act are declared to be severable.

27

28 SECTION 4. All laws and parts of laws in conflict with this act are
29 hereby repealed.

30

/s/Rep. Ferrell

31

32

APPROVED: 4-4-95

33

34

35