

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H3/3/11

A Bill

HOUSE BILL 1457

5 By: Representatives Hobbs, Pennartz, English, Hickerson, Benedict, Clemmer
6 By: Senator Bledsoe
7

For An Act To Be Entitled

9 AN ACT TO MAKE ILLEGAL THE DEFRAUDING OF PROSPECTIVE
10 ADOPTIVE PARENTS; AND FOR OTHER PURPOSES.

Subtitle

14 TO MAKE ILLEGAL THE DEFRAUDING OF
15 PROSPECTIVE ADOPTIVE PARENTS.
16
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

20 SECTION 1. Arkansas Code Title 5, Chapter 26, Subchapter 2 is amended
21 to add a new section to read as follows:

22 5-26-204. Defrauding a prospective adoptive parent.

23 (a) As used in this section:

24 (1) "Aggregate financial benefit" means the total financial
25 benefit received by a person preceding, during, and after the pregnancy of
26 the person;

27 (2) "Financial benefit" means any cost for prenatal, delivery,
28 or postnatal care, including without limitation reasonable costs for:

29 (A) Housing;

30 (B) Food;

31 (C) Clothing;

32 (D) Medical expenses; or

33 (E) General maintenance; and

34 (3) "Prospective adoptive parent" means a person who through his
35 or her actions has a stated or unstated intention to begin the process of
36 adopting a minor, whether or not the minor is known to him or her.



1 (b) A person commits the offense of defrauding a prospective adoptive
2 parent if he or she:

3 (1) Knowingly obtains a financial benefit from a prospective
4 adoptive parent or from an agent of a prospective adoptive parent with a
5 purpose to defraud the prospective adoptive parent or the agent of the
6 prospective adoptive parent of the financial benefit; and

7 (2) Does not:

8 (A) Consent to the adoption; or

9 (B) Complete the adoption process.

10 (c) Defrauding an adoptive parent is a:

11 (1) Class B felony if:

12 (A) The aggregate financial benefit is two thousand five
13 hundred dollars (\$2500) or more; or

14 (B) The person has previously been convicted under this
15 section;

16 (2) Class C felony if the aggregate financial benefit is:

17 (A) Five hundred dollars (\$500) or more but less than two
18 thousand five hundred dollars (\$2,500); or

19 (3) Class A misdemeanor if the aggregate financial benefit is
20 less than:

21 (B) Five hundred dollars (\$500).

22
23 /s/Hobbs

24
25
26 APPROVED: 03/24/2011