

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

SENATE BILL

421

By: Senator S. Bell

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE ANNOTATED §9-9-209 TO PROVIDE THAT CONSENT TO ADOPTION CANNOT BE WITHDRAWN WITHIN TEN (10) DAYS AFTER IT IS SIGNED WHEN THE CHILD IS BORN; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code Annotated §9-9-209 is hereby amended to read as follows:

"(a) A consent to adoption may be withdrawn within ten (10) days after it is signed or the child is born, whichever is later. The consent is invalid unless it states the parent has a right to withdrawal. If the parent is a minor or an incompetent, the consent shall also be signed by a guardian ad litem, appointed by the Court, who represents the minor or incompetent.

(b) A consent to adoption cannot be withdrawn after ten (10) days unless, after notice and an opportunity to be heard, it is shown by the parents seeking to withdraw the consent that the consent was signed because of fraud, duress, or undue influence and the Court orders the consent withdrawn."

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

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.