

As Engrossed: 3/13/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representatives Flanagan and Goodwin**

A Bill

HOUSE BILL 1654

For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 9, CHAPTER 9, SUBCHAPTER 2 OF THE
9 ARKANSAS CODE OF 1987 TO ESTABLISH MINIMUM CONTACTS WITH
10 THE STATE FOR ADOPTIONS IN THIS STATE; AND FOR OTHER
11 PURPOSES."

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

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15 *SECTION 1. Arkansas Code §9-9-205 is hereby amended to read as follows:*

16 *"(a) Jurisdiction of adoption of minors: The petitioner(s) or legal*
17 *parent(s) must have been physically present (resided) in the State of Arkansas*
18 *for at least thirty (30) days immediately preceding the filing of a petition*
19 *for adoption, relinquishment of parental rights, or execution of consent to*
20 *termination of parental rights or adoption. Provided, however, that when the*
21 *parental rights of the legal parent(s) have been relinquished or terminated*
22 *more than thirty (30) days prior to the filing of an adoption petition, or the*
23 *consent of the legal parent(s) is not required under other laws relating to*
24 *adoption, physical presence of the petitioner(s) or the individual to be*
25 *adopted shall be sufficient to confer subject matter jurisdiction.*

26 *(b) Jurisdiction of Adoption of Adults: Physical presence of the*
27 *petitioner(s) or the individual to be adopted shall be sufficient to confer*
28 *subject matter jurisdiction.*

29 *(c) Venue:*

30 *(1) Proceedings for adoption must be brought in the county in*
31 *which, at the time of filing or granting the petition, the petitioner(s), any*
32 *person required to consent to the adoption, or the individual to be adopted*
33 *resides or is in military service or in which the agency having the care,*
34 *custody, or control of the minor is located.*

35 *(2) If the court finds in the interest of substantial justice*

1 that the matter should be heard in another forum, the court may transfer,
2 stay, or dismiss the proceedings in whole or in part on any conditions that
3 are just.

4 (3) The caption of a petition for adoption shall be styled
5 substantially 'In the Matter of the Adoption.....'. The person
6 to be adopted shall be designated in the caption under the name by which he is
7 to be known if the petition is granted. If the child is placed for adoption
8 by an agency, any name by which the child was previously known shall not be
9 disclosed in the petition, the notice of hearing, or in the decree of
10 adoption."

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12 SECTION 2. This act shall not apply retrospectively, and shall apply
13 only to adoption petitions filed after the effective date hereof.

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15 SECTION 3. All provisions of this act of a general and permanent nature
16 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
17 Revision Commission shall incorporate the same in the Code.

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19 SECTION 4. If any provision of this act or the application thereof to
20 any person or circumstance is held invalid, such invalidity shall not affect
21 other provisions or applications of the act which can be given effect without
22 the invalid provision or application, and to this end the provisions of this
23 act are declared to be severable.

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25 SECTION 5. All laws and parts of laws in conflict with this act are
26 hereby repealed.

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28 /s/ Pat Flanagan and Larry Goodwin

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