

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Representative Ferrell

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A Bill

HOUSE BILL

1450

For An Act To Be Entitled

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

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Subtitle

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

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

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"(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:

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(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

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

12 (2) To create the relationship of parent and child between
13 petitioner and the adopted individual, as if the adopted individual were a
14 legitimate blood descendant of the petitioner, for all purposes including
15 inheritance and applicability of statutes, documents, and instruments,
16 whether executed before or after the adoption is decreed, which do not
17 expressly exclude an adopted individual from their operation or effect."
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19 SECTION 2. All provisions of this act of a general and permanent
20 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
21 Code Revision Commission shall incorporate the same in the Code.
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23 SECTION 3. If any provision of this act or the application thereof to
24 any person or circumstance is held invalid, such invalidity shall not affect
25 other provisions or applications of the act which can be given effect without
26 the invalid provision or application, and to this end the provisions of this
27 act are declared to be severable.
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29 SECTION 4. All laws and parts of laws in conflict with this act are
30 hereby repealed.

31 /s/Rep. Ferrell
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