

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999

# A Bill

HOUSE BILL 1933

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5 By: Representative Lendall  
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## For An Act To Be Entitled

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9 "AN ACT TO AMEND ARKANSAS CODE 9-9-102 WHICH PROHIBITS  
10 DISCRIMINATION IN ADOPTION OR FOSTER CARE PLACEMENT;  
11 AND FOR OTHER PURPOSES."

## Subtitle

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14 "AN ACT TO AMEND ARKANSAS CODE 9-9-102  
15 WHICH PROHIBITS DISCRIMINATION IN  
16 ADOPTION OR FOSTER CARE PLACEMENT."  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code 9-9-102 (b) is amended to read as follows:

22 "9-9-102. Religious preference - Removal of barriers to interethnic  
23 adoption - Preference to relative caregivers for a child in foster care.

24 (a) In all custodial placements by the Department of Human Services in  
25 foster care or investigations conducted by the Department of Human Services  
26 pursuant to court order under § 9-9-212, preferential consideration shall be  
27 given to an adult relative over a nonrelated caregiver provided that the  
28 relative caregiver meets all relevant child protection standards and it is in  
29 the child's best interest to be placed with the relative caregiver.

30 (b) The Department of Human Services and any other agency or entity  
31 which receives federal assistance and is involved in adoption or foster care  
32 placement shall not discriminate on the basis of the race, color, sexual  
33 orientation, or national origin of the adoptive or foster parent or the child  
34 involved nor delay the placement of a child on the basis of race, color,  
35 sexual orientation, or national origin of the adoptive or foster parents."

36 (c) If the child's genetic parent or parents express a preference for

1 placing the child in a foster home or an adoptive home of the same or a  
2 similar religious background to that of the genetic parent or parents, the  
3 court shall place the child with a family that meets the genetic parent's  
4 religious preference, or if a family is not available, to a family of a  
5 different religious background which is knowledgeable and appreciative of the  
6 child's religious background.

7 (d) The court shall not deny a petition for adoption on the basis of  
8 race, color, sexual orientation, or national origin of the adoptive parent or  
9 the child involved.

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

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15 SECTION 3. If any provision of this act or the application thereof to  
16 any person or circumstance is held invalid, such invalidity shall not affect  
17 other provisions or applications of the act which can be given effect without  
18 the invalid provision or application, and to this end the provisions of this  
19 act are declared to be severable.

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

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