

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

As Engrossed: H3/30/99

A Bill

HOUSE BILL 2083

4
5 By: Representative Hathorn
6
7

For An Act To Be Entitled

8
9 "AN ACT TO AMEND ARKANSAS CODE 9-9-212 REGARDING
10 ADOPTION HEARINGS; AND FOR OTHER PURPOSES."

Subtitle

11
12
13 "AN ACT TO AMEND ARKANSAS CODE 9-9-212
14 REGARDING ADOPTION HEARINGS."
15
16

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

18
19 SECTION 1. Arkansas Code 9-9-212(a) is amended to read as follows:

20 "(a) Before any hearing on a petition, the period in which the
21 relinquishment may be withdrawn under § 9-9-220 or in which consent may be
22 withdrawn under § 9-9-209, whichever is applicable, must have expired. No
23 orders of adoption, interlocutory or final, may be entered prior to the period
24 for withdrawal. After the filing of a petition to adopt a minor, the court
25 shall fix a time and place for hearing the petition. At least twenty (20)
26 days before the date of hearing, notice of the filing of the petition and of
27 the time and place of hearing shall be given by the petitioner to (1) any
28 agency or person whose consent to the adoption is required by this subchapter
29 but who has not consented; (2) any person who is identified on the birth
30 certificate prior to the filing of a petition for adoption as the father of
31 the child but has not consented and ~~(2)~~ (3) a person whose consent is
32 dispensed with upon any ground mentioned in § 9-9-207(a)(1), (2), (6), (8),
33 and (9). When the petitioner alleges that any person entitled to notice
34 cannot be located, the court shall appoint an attorney ad litem who shall make
35 a reasonable effort to locate and serve notice upon the person entitled to
36 notice; and upon failing to so serve actual notice, the attorney ad litem

1 shall publish a notice of the hearing directed to the person entitled to
2 notice in a newspaper having general circulation in the county one (1) time a
3 week for four (4) weeks, the last publication being at least seven (7) days
4 prior to the hearing. Prior to the hearing, the attorney ad litem shall file a
5 proof of publication and an affidavit reciting the efforts made to locate and
6 serve actual notice upon the person entitled to notice.”

7
8 SECTION 2. All provisions of this act of a general and permanent nature
9 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
10 Revision Commission shall incorporate the same in the Code.

11
12 SECTION 3. If any provision of this act or the application thereof to
13 any person or circumstance is held invalid, such invalidity shall not affect
14 other provisions or applications of the act which can be given effect without
15 the invalid provision or application, and to this end the provisions of this
16 act are declared to be severable.

17
18 SECTION 4. All laws and parts of laws in conflict with this act are
19 hereby repealed.

20 /s/ Hathorn

21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36