

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

A Bill

HOUSE BILL 1296

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5 By: Representative Lendall
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For An Act To Be Entitled

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.
12

Subtitle

13 AN ACT TO AMEND ARKANSAS CODE 9-9-102
14 WHICH PROHIBITS DISCRIMINATION IN
15 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 is amended to read as follows:

22 9-9-102. Religious preference - Removal of barriers to interethnic
23 adoption - Preference to adult 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 caregiver over ~~a~~ an adult nonrelated caregiver
28 provided that:

29 (1) ~~the~~ The adult relative caregiver meets all relevant child
30 protection standards; and

31 (2) ~~it~~ It is in the child's best interest to be placed with the
32 adult relative caregiver.

33 (b) The Department of Human Services and any other agency or entity
34 which receives federal assistance and is involved in adoption or foster care
35 placement shall not discriminate against or delay placement of a child on the
36 basis of the race, color, sexual orientation, or national origin of the

1 adoptive parent, ~~or~~ foster parent or ~~the~~ child involved ~~nor delay the~~
2 ~~placement of a child on the basis of race, color, or national origin of the~~
3 ~~adoptive or foster parents.~~

4 (c) If the child's genetic parent or parents express a preference for
5 placing the child in a foster home or an adoptive home of the same or a
6 similar religious background to that of the genetic parent or parents, the
7 court shall place the child with a family that meets the genetic parent's
8 religious preference, or if a family is not available, to a family of a
9 different religious background which is knowledgeable and appreciative of the
10 child's religious background.

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

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