

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H3/3/11
A Bill

HOUSE BILL 1457

5 By: Representatives Hobbs, Pennartz, English, Hickerson, Benedict, Clemmer
6 By: Senator Bledsoe
7

For An Act To Be Entitled

9 AN ACT TO MAKE ILLEGAL THE DEFRAUDING OF PROSPECTIVE
10 ADOPTIVE PARENTS; AND FOR OTHER PURPOSES.

Subtitle

14 TO MAKE ILLEGAL THE DEFRAUDING OF
15 PROSPECTIVE ADOPTIVE PARENTS.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code Title 5, Chapter 26, Subchapter 2 is amended
21 to add a new section to read as follows:

22 5-26-204. Defrauding a prospective adoptive parent.

23 (a) As used in this section:

24 (1) "Aggregate financial benefit" means the total financial
25 benefit received by a person preceding, during, and after the pregnancy of
26 the person;

27 (2) "Financial benefit" means any cost for prenatal, delivery,
28 or postnatal care, including without limitation reasonable costs for:

29 (A) Housing;

30 (B) Food;

31 (C) Clothing;

32 (D) Medical expenses; or

33 (E) General maintenance; and

34 (3) "Prospective adoptive parent" means a person who through his
35 or her actions has a stated or unstated intention to begin the process of
36 adopting a minor, whether or not the minor is known to him or her.



1 (b) A person commits the offense of defrauding a prospective adoptive
2 parent if he or she:

3 (1) Knowingly obtains a financial benefit from a prospective
4 adoptive parent or from an agent of a prospective adoptive parent with a
5 purpose to defraud the prospective adoptive parent or the agent of the
6 prospective adoptive parent of the financial benefit; and

7 (2) Does not:

8 (A) Consent to the adoption; or

9 (B) Complete the adoption process.

10 (c) Defrauding an adoptive parent is a:

11 (1) Class B felony if:

12 (A) The aggregate financial benefit is two thousand five
13 hundred dollars (\$2500) or more; or

14 (B) The person has previously been convicted under this
15 section;

16 (2) Class C felony if the aggregate financial benefit is:

17 (A) Five hundred dollars (\$500) or more but less than two
18 thousand five hundred dollars (\$2,500); or

19 (3) Class A misdemeanor if the aggregate financial benefit is
20 less than:

21 (B) Five hundred dollars (\$500).

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23 /s/Hobbs
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