

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: H3/8/21

A Bill

HOUSE BILL 1458

5 By: Representative Penzo
6 *By: Senator B. Ballinger*
7

For An Act To Be Entitled

9 AN ACT TO CLARIFY THE LAW CONCERNING THE WITHDRAWAL
10 OF CONSENT TO ADOPT BY A MINOR; AND FOR OTHER
11 PURPOSES.
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Subtitle

14 TO CLARIFY THE LAW CONCERNING THE
15 WITHDRAWAL OF CONSENT TO ADOPT BY A
16 MINOR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 9-9-209(b)(1), concerning withdrawal of
23 consent to adoption, is amended to read as follows:

24 (b)(1)(A) A consent to adopt may be withdrawn within ten (10) calendar
25 days, or, if a waiver of the ten-day period is elected under subdivision
26 (b)(3) of this section, five (5) calendar days after ~~it is~~ the consent to
27 adopt is signed or the child is born, whichever is later, by filing an
28 affidavit with the probate division clerk of the circuit court in the county
29 designated by the consent as the county in which the guardianship petition
30 will be filed, if there is a guardianship, or where the petition for adoption
31 will be filed, if there is no guardianship.

32 (B)(i) If the ten-day period, or, if a waiver of the ten-
33 day period is elected under subdivision (b)(3) of this section, the five-day
34 period ends on a weekend or a legal holiday, the person may file the
35 affidavit the next working day.

36 (ii) No fee shall be charged for the filing of the



1 affidavit.

2 (C) The court may waive the ten-day period for filing a
3 withdrawal of consent for agencies as defined by § 9-9-202(5), minors over
4 ~~ten (10)~~ twelve (12) years of age who consented to the adoption, or
5 biological parents if a stepparent is adopting.

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/s/Penzo

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