

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1853

Session of
1999

INTRODUCED BY FRANKEL, COSTA, FREEMAN, HALUSKA, BASTIAN, BROWNE, CAPPABIANCA, L. I. COHEN, DALEY, HARHAI, HENNESSEY, JOSEPHS, LAUGHLIN, GRUCELA, MANN, R. MILLER, MUNDY, READSHAW, SOLOBAY, YUDICHAK, YOUNGBLOOD, WOJNAROSKI, SANTONI, SAYLOR, SEYFERT, SHANER, STEELMAN, TANGRETTI, TIGUE, WALKO, WILLIAMS AND BLAUM, SEPTEMBER 27, 1999

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 15, 2000

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, further providing for adoption
3 ~~cooperative exchange services~~. THE PENNSYLVANIA ADOPTION
4 EXCHANGE.

<—
<—

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. The heading of Subchapter E of Chapter 25 of
8 Title 23 of the Pennsylvania Consolidated Statutes is amended to
9 read:

SUBCHAPTER E

10
11 ~~[PENNSYLVANIA] ADOPTION COOPERATIVE EXCHANGE SERVICES~~

<—

12 PENNSYLVANIA ADOPTION [COOPERATIVE] EXCHANGE

<—

13 Section 2. Sections 2551, 2552, 2553, 2554 and 2555 of Title
14 23 are amended to read:

15 § 2551. Definitions.

16 The following words and phrases when used in this subchapter

1 shall have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 ~~"ACES." The Adoption Cooperative Exchange Services~~ <—
4 ~~established in section 2552 (relating to adoption cooperative~~
5 ~~exchange services).~~

6 "Department." The Department of Public Welfare of the
7 Commonwealth.

8 ["PACE." The Pennsylvania Adoption Cooperative Exchange.]

9 ~~"PAE." THE PENNSYLVANIA ADOPTION EXCHANGE.~~ <—

10 ~~§ 2552. [Pennsylvania] Adoption Cooperative Exchange Services.~~ <—

11 § 2552. PENNSYLVANIA ADOPTION [COOPERATIVE] EXCHANGE. <—

12 There shall be ~~{a Pennsylvania} an~~ Adoption Cooperative A <—
13 PENNSYLVANIA ADOPTION [COOPERATIVE] Exchange ~~Services program~~ in <—
14 the Office of Children, Youth and Families of the Department of
15 Public Welfare.

16 § 2553. Registration of children.

17 (a) Mandatory registration.--[PACE] ~~ACES PAE~~ shall register <—
18 and be responsible for the review and referral of children for
19 whom parental rights have been terminated for [90] 45 days and
20 for whom no report of intention to adopt has been filed in the
21 court of common pleas.

22 (b) Optional registration.--[PACE may also]

23 (1) ACES PAE may register children where restoration to <—
24 the biological family is neither possible nor appropriate, a
25 petition to terminate parental rights has been filed and
26 adoption is planned pending identification of an adoptive
27 parent or parents. [However, information]

28 (2) ACES PAE may register children with a court-approved <—
29 goal of adoption if the court-approved goal of adoption has
30 not been appealed within 30 days and a petition to terminate

1 parental rights has not been filed.

2 (3) Information about these children shall not be
3 publicized without prior approval by the department, which
4 shall ensure the anonymity of these children until such time
5 as parental rights are terminated.

6 (c) Children excluded from registration.--

7 (1) A child for whom termination of parental rights is
8 being appealed in a court shall not be registered with [PACE]
9 ACES PAE as available for adoption. [Identifying information <—
10 of such children shall be forwarded to PACE by the agency,
11 with reference to the specific reason for which the child is
12 not to be placed on the listing service.]

13 (2) A child registered with ACES PAE may be withdrawn at <—
14 the request of the agency having custody if the withdrawal is
15 based on criteria established by regulation.

16 § 2554. Responsibilities of [PACE] ACES PAE. <—

17 [PACE] ACES PAE shall be responsible for the following: <—

18 (1) Registration of adoptive parent applicants who have
19 been approved by agencies.

20 (2) Accumulation and dissemination of statistical
21 information regarding all children registered with [PACE]
22 ACES PAE. <—

23 (3) Creation and administration of a public information
24 program designed to inform potential adoptive parents of the
25 need for adoptive homes for children registered with [PACE]
26 ACES PAE. <—

27 (4) Preparation and distribution of a photographic
28 listing service on children registered with [PACE] ACES PAE. <—

29 (5) Preparation of annual reports concerning functions
30 of [PACE] ACES PAE regarding the children and the prospective <—

1 parents listed with [PACE] ~~ACES PAE~~. The reports shall be <—
2 submitted annually by May 1 to the [Health and Welfare and
3 Judiciary Committees] Governor and the, THE JUDICIARY <—
4 COMMITTEE AND ANY OTHER appropriate standing committees of
5 the House of Representatives[, to the Public Health and
6 Welfare and Judiciary Committees] and of the Senate [and to
7 the Governor]. The annual report shall also include
8 statistical and fiscal information regarding additional State
9 and local initiatives involving the recruitment of families
10 interested in adopting children with special needs who meet
11 the eligibility criteria of this act and efforts to identify
12 eligible children.

13 (6) Coordination of its functions with other state,
14 regional and national adoption exchanges.

15 § 2555. Responsibilities of [public and private] agencies. <—

16 (a) Registration of children.--All [public and licensed <—
17 private child service] agencies shall register all children with <—
18 [PACE] ~~ACES PAE~~ for whom parental rights have been terminated <—
19 for [90] 45 days and for whom no report of intention to adopt
20 has been filed in the court of common pleas. [A public or <—
21 licensed private] AN agency may register other children as set <—
22 forth in section 2553(b) (relating to registration of children).

23 (b) Registration of applicants.--All ~~public and licensed~~ <—
24 ~~private child service~~ agencies shall register all approved
25 adoptive parent applicants with their consent who express an
26 interest in adopting children with special needs.

27 Section 3. This act shall take effect in 60 days.