

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1531 Session of
2015

INTRODUCED BY D. MILLER, MURT, WATSON, KINSEY, D. PARKER,
MILLARD, COHEN, ZIMMERMAN AND PETRI, OCTOBER 5, 2015

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, OCTOBER 5, 2015

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in adoption, further providing for
3 alternative procedure for relinquishment.

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

6 Section 1. Section 2504 of Title 23 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 2504. Alternative procedure for relinquishment.

9 (a) Petition to confirm consent to adoption.--If the parent
10 or parents of the child have executed consents to an adoption,
11 upon petition by the intermediary or, where there is no
12 intermediary, by the adoptive parent, the court shall [hold a
13 hearing for the purpose of confirming a] confirm the consent to
14 an adoption upon expiration of the time periods under section
15 2711 (relating to consents necessary to adoption)[.] and, in the
16 case of relinquishment of parental rights to an adult, the court
17 may enter a decree of termination of parental rights or, in the
18 case of relinquishment of parental rights to an agency, a decree

1 of termination of parental rights and duties, including the
2 obligation of support. The original consent or consents to the
3 adoption shall be attached to the petition.

4 [(b) Hearing.--Upon presentation of a petition filed
5 pursuant to this section, the court shall fix a time for a
6 hearing which shall not be less than ten days after filing of
7 the petition. Notice of the hearing shall be by personal service
8 or by registered mail or by such other means as the court may
9 require upon the consenter and shall be in the form provided in
10 section 2513(b) (relating to hearing). Notice of the hearing
11 shall be given to the other parent or parents, to the putative
12 father whose parental rights could be terminated pursuant to
13 subsection (c) and to the parents or guardian of a consenting
14 parent who has not reached 18 years of age. The notice shall
15 state that the consenting parent's or putative father's rights
16 may be terminated as a result of the hearing. After hearing,
17 which shall be private, the court may enter a decree of
18 termination of parental rights in the case of a relinquishment
19 to an adult or a decree of termination of parental rights and
20 duties, including the obligation of support, in the case of a
21 relinquishment to an agency.]

22 (c) Putative father.--If a putative father will not execute
23 a consent to an adoption as required by section 2711, has been
24 given notice of the hearing being held pursuant to [this
25 section] section 2513 (relating to hearing) and fails to either
26 appear at that hearing for the purpose of objecting to
27 termination of his parental rights or file a written objection
28 to such termination with the court prior to the hearing and has
29 not filed an acknowledgment of paternity or claim of paternity
30 pursuant to section 5103 (relating to acknowledgment and claim

1 of paternity), the court may enter a decree terminating the
2 parental rights of the putative father [pursuant to subsection
3 (b)].

4 (d) Right to file personal and medical history
5 information.--At the time the decree of termination is
6 transmitted to the parent, the court shall also advise, in
7 writing, the parent whose rights have been terminated of his or
8 her continuing right to place and update personal and medical
9 history information, whether or not the medical condition is in
10 existence or discoverable at the time of adoption, on file with
11 the court and with the Department of [Public Welfare] Human
12 Services pursuant to Subchapter B of Chapter 29 (relating to
13 records and access to information).

14 Section 2. This act shall take effect in 60 days.