

2016 Regular Session

SENATE BILL NO. 368

BY SENATOR MORRISH

CHILDREN. Provides relative to intrafamily adoptions. (8/1/16)

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AN ACT

To amend and reenact Ch.C. Art. 1243(B), relative to intrafamily adoptions; to provide for the adoption of a child by a married blood relative grandparent as a sole petitioner in certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Ch.C. Art. 1243(B) is hereby amended and reenacted to read as follows:

Art. 1243. Persons who may petition for intrafamily adoption

\* \* \*

B.(1) When the spouse of the stepparent or one joint petitioner dies after the petition has been filed, the adoption proceedings may continue as though the survivor was a single original petitioner.

**(2) When a petitioner is the grandparent of a child and the petitioner's spouse is the stepgrandparent of the child and that spouse files an authentic act requesting that the blood relative grandparent petitioner be allowed to file or complete the adoption proceedings as the sole petitioner, then any court of competent jurisdiction may grant the adoption in the same manner as if the grandparent was a single petitioner.**

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Ben Huxen.

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DIGEST

SB 368 Original

2016 Regular Session

Morrish

Present law permits a grandparent or stepgrandparent to adopt a child when certain other requirements are met, and the petitioner is a single person over the age of eighteen or a married person whose spouse is a joint petitioner.

Proposed law provides that, when a petitioner is the grandparent of a child and the petitioner's spouse is the stepgrandparent of the child and that spouse files an authentic act requesting that the blood relative grandparent petitioner be allowed to file or complete the adoption proceedings as the sole petitioner, then any court of competent jurisdiction may grant the adoption in the same manner as if the grandparent was a single petitioner.

Effective August 1, 2016.

(Amends Ch.C. Art. 1243(B))