
DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Nancy Landry

HB No. 445

Abstract: Provides that, in order to comply with applicable law, requests for criminal background checks in certain adoptions shall go to the Louisiana Bureau of Criminal Identification and Information to conduct certain criminal background checks for adoption purposes, and provides for who may petition for an intrafamily adoption.

Present law (Ch.C. Art. 1131(E)(1)) provides for a court order, following court approval of an adoptive placement, for a criminal background check by the sheriff or Louisiana Bureau of Criminal Identification and Information.

Proposed law retains present law but deletes reference to the sheriff.

Present law (Ch.C. Art. 1131(G)) provides that the sheriff or Louisiana Bureau of Criminal Identification and Information shall give priority to the court-ordered criminal background check.

Proposed law retains present law but deletes reference to the sheriff.

Present law (Ch.C. Art. 1173(B)) provides that the sheriff or Louisiana Bureau of Criminal Identification and Information shall conduct a criminal background check for a preplacement home study.

Proposed law retains present law but deletes reference to the sheriff.

Present law (Ch.C. Art. 1243) specifies who may petition for an intrafamily adoption to include several categories of family relationships and the requirements thereunder, provides that if one joint petitioner dies the adoption proceedings may continue in the name of the survivor, and defines a parent recognized as having parental rights.

Proposed law retains much of the present law but changes the requirement that the petitioner be related through a child's parent having parental rights to the requirement that the petitioner be related to the child's mother or father who is filiated to the child.

Proposed law repeals the definition of a "parent recognized as having parental rights".

Present law (Ch.C. Art. 1243.2.2(A)(1)) provides for a court order, upon the filing of a petition for an intrafamily adoption, for a criminal background check by the sheriff or Louisiana Bureau of Criminal Identification and Information.

Proposed law retains present law but deletes reference to the sheriff.

Present law (Ch.C. Art. 1243.2(C)) provides that the sheriff or Louisiana Bureau of Criminal Identification and Information shall give priority to court ordered criminal background check.

Proposed law retains present law but deletes reference to the sheriff.

(Amends Ch.C. Arts. 1311(E)(1) and (G), 1173(B), 1243(A)(1), and 1243.2(A)(1) and (C);
Repeals Ch.C. Art. 1243(C))