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3 HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR HB118
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8 SYNOPSIS: Existing law provides for post-adoption
9 visitation rights for a child's natural
10 grandparents after the child is adopted when
11 certain requirements are met.

12 This bill would provide that prospective
13 adoptive parents of a child who is the subject of a
14 petition for adoption may agree to permit
15 post-adoption visitation, contact, or communication
16 between the adoptive child and his or her
17 biological siblings.

18 This bill would require that the siblings'
19 legal parents or legal guardians consent to any
20 visitation, contact, or communication between the
21 siblings and the adoptive child, and would require
22 that the probate court presiding over the adoption
23 make a determination that the visitation, contact,
24 or communication is in the best interest of the
25 adoptee.
26

27 A BILL

1 TO BE ENTITLED

2 AN ACT

3
4 Relating to adoption; to amend Section 26-10A-30,
5 Code of Alabama 1975, to provide for post-adoption rights to
6 visitation, contact, and communication under certain
7 conditions.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. This act shall be known and may be cited
10 as Caleb's Law.

11 Section 2. Section 26-10A-30, Code of Alabama 1975,
12 is amended to read as follows:

13 "§26-10A-30.

14 "(a) Post-adoption visitation rights for the natural
15 grandparents of the adoptee may be granted when the adoptee is
16 adopted by a stepparent, a grandfather, a grandmother, a
17 brother, a half-brother, a sister, a half-sister, an aunt or
18 an uncle and their respective spouses, if any. ~~Such~~ The
19 visitation rights may be maintained or granted at the
20 discretion of the court at any time prior to or after the
21 final order of adoption is entered upon petition by the
22 natural grandparents, if it is in the best interest of the
23 child.

24 "(b) Post-adoption rights to visitation, contact, or
25 communication may be granted between an adoptive child and his
26 or her biological siblings when all of the following
27 conditions are met:

1 "(1) The prospective adoptive parents agree to the
2 visitation, contact, or communication and the agreement is
3 expressed in writing to the probate court.

4 "(2) The legal parents or legal guardians of the
5 biological siblings consent to the agreement in an affidavit
6 that is submitted to the probate court.

7 "(3) The probate court determines that the
8 visitation, contact, or communication is in the best interest
9 of the adoptive child."

10 Section 3. This act shall become effective
11 immediately upon its passage and approval by the Governor, or
12 its otherwise becoming law.