

Introduced by Senator Runner

February 24, 2012

An act to amend Section 8810 of the Family Code, relating to adoption.

LEGISLATIVE COUNSEL'S DIGEST

SB 1559, as introduced, Runner. Family law: adoption.

Existing law governs petitions to adopt unmarried minors. Existing law requires prospective adoptive parents to pay a specified fee to the State Department of Social Services or delegated county adoption agency for the cost of investigating the adoption petition. Existing law requires half of that fee to be paid at the time that the adoption petition is filed, with the remaining balance to be paid at a later date determined by the department or delegated county adoption agency.

This bill would make technical, nonsubstantive changes to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 8810 of the Family Code is amended to
2 read:
3 8810. (a) Except as otherwise provided in this section,
4 whenever a petition is filed under this chapter for the adoption of
5 a child, the petitioner shall pay a nonrefundable fee to the
6 department or to the delegated county adoption agency for the cost
7 of investigating the adoption petition. Fifty percent of ~~the~~ *that*
8 payment shall be made to the department or delegated county

1 adoption agency at the time the adoption petition is filed, and the
2 remaining balance shall be paid no later than the date determined
3 by the department or the delegated county adoption agency in an
4 amount as follows:

5 (1) For petitions filed on and after October 1, 2008, four
6 thousand five hundred dollars (\$4,500).

7 (2) For petitioners who have a valid preplacement evaluation
8 at the time of filing a petition pursuant to Section 8811.5, one
9 thousand five hundred fifty dollars (\$1,550) for a postplacement
10 evaluation pursuant to Sections 8806 and 8807.

11 (b) Revenues produced by fees collected by the department
12 pursuant to subdivision (a) shall be used, when appropriated by
13 the Legislature, to fund only the direct costs associated with the
14 state program for independent adoptions. Revenues produced by
15 fees collected by the delegated county adoption agency pursuant
16 to subdivision (a) shall be used by the county to fund the county
17 program for independent adoptions.

18 (c) The department or delegated county adoption agency may
19 reduce the fee, to no less than five hundred dollars (\$500) ~~when~~
20 *if* the prospective adoptive parents are very low income; according
21 to the income limits published by the Department of Housing and
22 Community Development; and *if* making the required payment
23 would be detrimental to the welfare of an adopted child. The
24 department shall develop additional guidelines regarding income
25 and assets to determine the financial criteria for reduction of the
26 fee under this subdivision.

27 (d) This section shall become operative on October 1, 2008.