

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 4129

BY DELEGATES SUMMERS, HILL, PACK, ESPINOSA,

HANNA, ROWAN, WORRELL, ESTEP-BURTON,

FLEISCHAUER, C. THOMPSON AND WALKER

[Passed February 12, 2020; in effect ninety days from passage.]

FILED

2020 FEB 24 P 3:23

OFFICE WEST VIRGINIA
SECRETARY OF STATE

HB 4129

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1 AN ACT to amend and reenact §48-22-201 and §48-22-501 of the Code of West Virginia, 1931,
2 as amended, all relating to adoption; providing for the location of the adoption hearing;
3 and eliminating a waiting period.

Be it enacted by the Legislature of West Virginia:

CHAPTER 48. DOMESTIC RELATIONS.

PART 2. PERSONS WHO MAY ADOPT.

ARTICLE 22. ADOPTION.

§48-22-201. Persons who may petition for decree of adoption.

1 Any person not married or any person, with his or her spouse's consent, or any husband
2 and wife jointly, may petition a circuit court of the county wherein such person or persons reside
3 for a decree of adoption of any minor child or person who may be adopted by the petitioner or
4 petitioners: *Provided*, That if the minor child to be adopted has been removed from a prior home
5 due to an abuse or neglect proceeding, the petition may be filed in the same county as the original
6 abuse and neglect proceeding regarding the minor child.

PART 5. PETITION FOR ADOPTION.

§48-22-501. Filing of petition for adoption.

1 The petition for adoption may be filed at any time after the child who is the subject of the
2 adoption is born, the adoptive placement determined and all consents or relinquishments that can
3 be obtained have been executed. The hearing on the petition may be held only after the child has
4 lived with the adoptive parent or parents for a period of six months, proper notice of the petition
5 has been given and all necessary consents or relinquishments have been executed and submitted
6 or the rights of all nonconsenting birth parents have otherwise been terminated.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Noel Copps
.....
Chairman, House Committee

Mark R. Meyer
.....
Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

Steve Hovine
.....
Clerk of the House of Delegates

Jeanine
.....
Clerk of the Senate

Lee H. Hunter
.....
Speaker of the House of Delegates

Will B. Combs
.....
President of the Senate

OFFICE OF THE VIRGINIA
SECRETARY OF STATE

2020 FEB 24 P 3: 23

FILED

The within *is approved* this the *24th*
day of *February* 2020.

James R. Justice
.....
Governor

PRESENTED TO THE GOVERNOR

FEB 18 2020

Time 10:26am