

MAY 6 1975

HUMAN RESOURCES
Sen. " " 6/19

HOUSE FILE 877
By OAKLEY

Passed House, Date 6-19-75 (2674) Passed Senate, Date 6-19-75 (2221)
Vote: Ayes 77 Nays 5 Vote: Ayes 47 Nays 1
Approved 7-8

A BILL FOR

1 An Act relating to the placement and adoption of South
2 Vietnamese children.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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H-4340

1 Amend House File 877, page 2, by striking all
2 of lines 8 through 12 and inserting in lieu thereof
3 the following: "Sec. 4. The provisions of section".

B-16200 2/73

H-4340 FILED, ADOPTED BY BY OAKLEY of Clinton
UNANIMOUS CONSENT
JUNE 19, 1975 (2674)

1 Section 1.

2 1. Notwithstanding chapter two hundred thirty-eight (238)
3 of the Code, a child-placing agency, as defined in section
4 two hundred thirty-eight point two (238.2) of the Code or
5 as licensed under the laws of another state, may place a child
6 in the home of a proposed parent in anticipation of an ensuing
7 adoption if:

8 a. The agency has a contract with the government of the
9 republic of South Vietnam to place the child;

10 b. The agency had, at the time the child resided in South
11 Vietnam, proper documents from the government of the republic
12 of South Vietnam permitting the child to be placed and adopted
13 but that the documents cannot be located and replaced; and

14 c. The child is legally admitted to the United States
15 of America.

16 2. The home in which a child is placed under subsection
17 two (2) of this section shall be investigated for suitability
18 by the department of social services before or upon placement
19 of the child. A petition for adoption of the child shall
20 not be filed under section six hundred point one (600.1) of
21 the Code until the department has approved the placement.
22 Upon application of the department to the appropriate juvenile
23 court, the child may be removed from an unapproved home and
24 a guardian appointed for the child.

25 Sec. 2. Notwithstanding chapter six hundred (600) of the
26 Code, a child placed under section one (1) of this Act may
27 be adopted without the adoption petition allegations relating
28 to the child required under section six hundred point one
29 (600.1) of the Code and without the consents required under
30 section six hundred point three (600.3) of the Code if an
31 affidavit by the agency verifying that the documents specified
32 under paragraph b of section one (1) of this Act existed and
33 are now unavailable is submitted to the court. In such case,
34 the agency shall deliver to the court all available information
35 on the child.

HOUSE FILE 877

AN ACT

RELATING TO THE PLACEMENT AND ADOPTION OF SOUTH VIETNAMESE CHILDREN.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1.

1. Notwithstanding chapter two hundred thirty-eight (238) of the Code, a child-placing agency, as defined in section two hundred thirty-eight point two (238.2) of the Code or as licensed under the laws of another state, may place a child in the home of a proposed parent in anticipation of an ensuing adoption if:

- a. The agency has a contract with the government of the republic of South Vietnam to place the child;
- b. The agency had, at the time the child resided in South Vietnam, proper documents from the government of the republic of South Vietnam permitting the child to be placed and adopted but that the documents cannot be located and replaced; and
- c. The child is legally admitted to the United States of America.

2. The home in which a child is placed under subsection two (2) of this section shall be investigated for suitability by the department of social services before or upon placement of the child. A petition for adoption of the child shall not be filed under section six hundred point one (600.1) of the Code until the department has approved the placement. Upon application of the department to the appropriate juvenile court, the child may be removed from an unapproved home and a guardian appointed for the child.

Sec. 2. Notwithstanding chapter six hundred (600) of the Code, a child placed under section one (1) of this Act may be adopted without the adoption petition allegations relating

to the child required under section six hundred point one (600.1) of the Code and without the consents required under section six hundred point three (600.3) of the Code if an affidavit by the agency verifying that the documents specified under paragraph b of section one (1) of this Act existed and are now unavailable is submitted to the court. In such case, the agency shall deliver to the court all available information on the child.

Sec. 3. Notwithstanding the provisions of chapter one hundred forty-four (144), the state registrar of vital statistics shall issue a birth certificate for any child adopted pursuant to section two (2) of this Act upon receipt of a certificate of adoption. Such birth certificate shall include any available information which is normally included on a birth certificate.

Sec. 4. The provisions of section one (1) of this Act shall expire on November 1, 1975.

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 877, Sixty-sixth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved 7/8, 1975

ROBERT D. RAY
Governor