

Sen. Judiciary 3/22 Amend per 5527 - Do Pass 4/11 (p. 850)
4/12 (p. 878)

House File 2223

Judiciary
Hill of Polk, Chairperson
Scott
Coleman

EB 22 19/8

Place On Calendar

HOUSE FILE 2223

By COMMITTEE ON JUDICIARY AND
LAW ENFORCEMENT

(Formerly House File 2080)

Passed House, Date 3-16-78 (p. 1038) Passed Senate, Date 4-13-78 (p. 868)

Vote: Ayes 87 Nays 0 Vote: Ayes 42 Nays 0

Approved June 14 1978

A BILL FOR

1 An Act to provide that a separate termination of parental
2 rights proceeding shall not be required in cases of step-
3 parent adoptions.

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

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Conference Committee Appointed
Senators Coleman, chair; Redmond, Callaway, Hill (Polk), DeKoster 4/28
Representatives Newkirk, chair; Connors, Skerwack, Lipsky, Nielsen (p. 1122)
5/1 (p. 2088)

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Passed per Conference Committee Report
Passed House 5-4-78 (p. 2231) Senate 5-9-78 (p. 1327)
93-0 38-0

SENATE AMENDMENT TO HOUSE FILE 2223

H-6067

1 Amend House File 2223 as passed by the House
2 as follows:
3 1. Page 1, by striking lines 29 through 33.

H-6067 FILED
RECEIVED FROM SENATE
APRIL 17, 1978

House referred to committee 4/21 (1773)
Senate initiated 4-26 (p. 1029)

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HOUSE FILE 2223

S-5537

1 Amend House File 2223, as passed by the House,
2 as follows:
3 1. Page 1, by striking lines 29 through 33.

S-5537 FILED
APRIL 12, 1978

Adopted 4/13
(p. 868)

BY COMMITTEE ON JUDICIARY
GENE W. GLENN, CHAIRPERSON

1 Section 1. Section six hundred point three (600.3),
2 subsection two (2), Code 1977, as amended by Acts of the
3 Sixty-seventh General Assembly, 1977 Session, chapter one
4 hundred forty (140), section two (2), is amended by striking
5 the subsection and inserting in lieu thereof the following:

6 2. An adoption petition shall not be filed until a
7 termination of parental rights has been accomplished except
8 in the following cases:

9 a. No termination of parental rights is required if the
10 person to be adopted is an adult.

11 b. If the stepparent of the child to be adopted is the
12 adoption petitioner, the parent-child relationship between
13 the child and the parent who is not the spouse of the
14 petitioner may be terminated as part of the adoption proceeding
15 by the filing of that parent's consent to the adoption.

16 For the purposes of this subsection, a consent to adopt
17 recognized by the courts of another jurisdiction in the United
18 States and obtained from a resident of that jurisdiction shall
19 be accepted in this state in lieu of a termination of parental
20 rights proceeding.

21 Sec. 2. Section six hundred point three (600.3), Code
22 1977, as amended by Acts of the Sixty-seventh General Assembly,
23 1977 Session, chapter one hundred forty (140), section two
24 (2), is amended by adding the following new subsection:

25 NEW SUBSECTION. Any adoption proceeding pending on or
26 completed prior to the effective date of this Act is hereby
27 legalized and validated to the extent that it is consistent
28 with this Act.

29 Sec. 3. This Act, being deemed of immediate importance,
30 shall take effect and be in force from and after its
31 publication in The Cedar Rapids Gazette, a newspaper published
32 in Cedar Rapids, Iowa, and in The Monticello Express, a
33 newspaper published in Monticello, Iowa.

34 EXPLANATION

35 This bill provides that termination of parental rights

1 in cases of stepparent adoptions may be accomplished during
2 the adoption proceeding by the filing of a consent on the
3 part of the parent whose rights are being terminated.

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REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 2223

To the President of the Senate and the Speaker of the House
of Representatives:

We, the undersigned members of the conference committee
appointed to consider the differences between the Senate and
the House of Representatives on House File 2223, a bill for
an Act to provide that a separate termination of parental
rights proceeding shall not be required in cases of stepparent
adoptions, respectfully make the following report:

1. That the House concur in Senate amendment H-6067 to
House File 2223.

ON THE PART OF THE HOUSE:

Scott D. Newhard, Chair
John H. Connors
Nancy J. Shimanek
Joan Lipsky
Carl V. Nielsen

ON THE PART OF THE SENATE:

C. Joseph Coleman, Chair
James Calhoun
Lucas J. DeKoster
Philip B. Hill
James M. Redmond

FILED
MAY 3, 1978

Senate adopted 5/4 (J. 2221)
House " 5/9 (J. 1327)

HOUSE FILE 2223

AN ACT

TO PROVIDE THAT A SEPARATE TERMINATION OF PARENTAL RIGHTS PROCEEDING SHALL NOT BE REQUIRED IN CASES OF STEP-PARENT ADOPTIONS.

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

Section 1. Section six hundred point three (600.3), subsection two (2), Code 1977, as amended by Acts of the Sixty-seventh General Assembly, 1977 Session, chapter one hundred forty (140), section two (2), is amended by striking the subsection and inserting in lieu thereof the following:

2. An adoption petition shall not be filed until a termination of parental rights has been accomplished except in the following cases:

a. No termination of parental rights is required if the person to be adopted is an adult.

b. If the stepparent of the child to be adopted is the adoption petitioner, the parent-child relationship between the child and the parent who is not the spouse of the petitioner may be terminated as part of the adoption proceeding by the filing of that parent's consent to the adoption.

For the purposes of this subsection, a consent to adopt recognized by the courts of another jurisdiction in the United States and obtained from a resident of that jurisdiction shall be accepted in this state in lieu of a termination of parental rights proceeding.

Sec. 2. Section six hundred point three (600.3), Code 1977, as amended by Acts of the Sixty-seventh General Assembly, 1977 Session, chapter one hundred forty (140), section two (2), is amended by adding the following new subsection:

NEW SUBSECTION. Any adoption proceeding pending on or completed prior to the effective date of this Act is hereby

legalized and validated to the extent that it is consistent with this Act.

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 2223, Sixty-seventh General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved June 14, 1978

ROBERT D. RAY
Governor