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FEB 1 2002

Place On Calendar

HOUSE FILE 2190

BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO HF 2031)

Passed House, <sup>(p.285)</sup> Date 2-7-02

Passed Senate, <sup>p.646</sup> Date 3/18/02

Vote: Ayes 90 Nays 0

Vote: Ayes 45 Nays 0

Approved March 29, 2002

*Repassed 3-19-02*

*vote 93-0*

A BILL FOR

1 An Act relating to the procedural requirements for foreign and  
2 international adoption, providing for applicability, and  
3 providing an effective date.

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

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HF 2190

1 Section 1. Section 600.15, Code Supplement 2001, is  
2 amended to read as follows:

3 600.15 FOREIGN AND INTERNATIONAL ADOPTIONS.

4 ~~1.---a.~~ A decree establishing a parent-child relationship  
5 by adoption which is issued pursuant to due process of law by  
6 a juvenile court or court of any other jurisdiction in the  
7 United States or in the child's country of origin shall be  
8 recognized in this state.

9 ~~b.---A decree terminating a parent-child relationship which~~  
10 ~~is issued pursuant to due process of law by a juvenile court~~  
11 ~~or court of any other jurisdiction in the United States shall~~  
12 ~~be recognized in this state.~~

13 ~~c.---Documentation demonstrating that a child has been~~  
14 ~~legally released or approved for adoption by the child's~~  
15 ~~country of origin shall be accepted as evidence that~~  
16 ~~termination of parental rights has been completed in that~~  
17 ~~country and shall be recognized in this state.~~

18 ~~2.---If an adoption has occurred in the minor person's~~  
19 ~~country of origin, a further adoption must occur in the state~~  
20 ~~where the adopting parents reside in accordance with the~~  
21 ~~adoption laws of that state.~~

22 ~~3.---A licensed child-placing agency as defined in section~~  
23 ~~238.27, a person making an independent placement as defined in~~  
24 ~~section 600A.27, or an investigator may provide necessary~~  
25 ~~assistance to an eligible citizen of Iowa who desires to, in~~  
26 ~~accordance with the immigration laws of the United States,~~  
27 ~~make an international adoption.~~

28 Sec. 2. PENDING ADOPTION PROCEEDINGS -- APPLICABILITY.  
29 This Act applies to adoption proceedings pending in this state  
30 on the effective date of this Act.

31 Sec. 3. EFFECTIVE DATE. This Act, being deemed of  
32 immediate importance, takes effect upon enactment.

33 EXPLANATION

34 This bill relates to foreign and international adoptions.  
35 The bill replaces the current provisions relating to foreign

1 and international adoptions, including the requirement that if  
2 an adoption occurred in the minor person's country of origin,  
3 an additional adoption must occur in the state in which the  
4 adopting parents reside and under the laws of that state, and  
5 instead provides that a decree establishing a parent-child  
6 relationship by adoption which is issued pursuant to due  
7 process of law by a juvenile court or court of any  
8 jurisdiction in the United States or in the minor person's  
9 country of origin is recognized in this state. The provisions  
10 of the bill apply to adoption proceedings pending in Iowa on  
11 the effective date of the bill. The bill takes effect upon  
12 enactment.

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HOUSE FILE 2190

H-8040

1 Amend House File 2190 as follows:

2 1. Page 1, by inserting before line 1, the  
3 following:

4 "Section 1. NEW SECTION. 144.25A CERTIFICATE OF  
5 BIRTH -- FOREIGN AND INTERNATIONAL ADOPTIONS.

6 The department shall adopt rules pursuant to  
7 chapter 17A to establish a procedure for the issuance  
8 of a certificate of birth for children adopted  
9 pursuant to section 600.15."

10 2. Page 1, by striking lines 6 and 7, and  
11 inserting the following: "a juvenile court or court  
12 of any other jurisdiction ~~in~~ within or outside the  
13 United States shall be".

14 3. Page 1, by striking lines 28 through 30.

15 4. Title page, line 2, by striking the words  
16 ",providing for applicability,".

17 5. By renumbering as necessary.

By CARROLL of Poweshiek  
KREIMAN of Davis  
ATTEBERRY of Delaware

H-8040 FILED FEBRUARY 7, 2002

*adopted 2/7/02 (P.284)*

5. 5-3/4/02<sup>m</sup> Do Pass

HOUSE FILE 2190  
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO HF 2031)

(As Amended and Passed by the House February 7, 2002)

Passed House, (P. 846) Date 3/19/02 Passed Senate, (P. 646) Date 3/18/02  
Vote: Ayes 93 Nays 0 Vote: Ayes 45 Nays 0  
Approved 3/29/02

A BILL FOR

1 An Act relating to the procedural requirements for foreign and  
2 international adoption and providing an effective date.

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

4  
5 House Amendments \_\_\_\_\_

6 Deleted Language \*

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1 Section 1. NEW SECTION. 144.25A CERTIFICATE OF BIRTH --  
2 FOREIGN AND INTERNATIONAL ADOPTIONS.

3 The department shall adopt rules pursuant to chapter 17A to  
4 establish a procedure for the issuance of a certificate of  
5 birth for children adopted pursuant to section 600.15.

6 Sec. 2. Section 600.15, Code Supplement 2001, is amended  
7 to read as follows:

8 600.15 FOREIGN AND INTERNATIONAL ADOPTIONS.

9 ~~1.--a.~~ A decree establishing a parent-child relationship  
10 by adoption which is issued pursuant to due process of law by  
11 a juvenile court or court of any other jurisdiction in within  
12 or outside the United States shall be recognized in this  
13 state.

14 ~~b.--A decree terminating a parent-child relationship which~~  
15 ~~is issued pursuant to due process of law by a juvenile court~~  
16 ~~or court of any other jurisdiction in the United States shall~~  
17 ~~be recognized in this state.~~

18 ~~c.--Documentation demonstrating that a child has been~~  
19 ~~legally released or approved for adoption by the child's~~  
20 ~~country of origin shall be accepted as evidence that~~  
21 ~~termination of parental rights has been completed in that~~  
22 ~~country and shall be recognized in this state.~~

23 ~~2.--If an adoption has occurred in the minor person's~~  
24 ~~country of origin, a further adoption must occur in the state~~  
25 ~~where the adopting parents reside in accordance with the~~  
26 ~~adoption laws of that state.~~

27 ~~3.--A licensed child-placing agency as defined in section~~  
28 ~~238.2, a person making an independent placement as defined in~~  
29 ~~section 600A.2, or an investigator may provide necessary~~  
30 ~~assistance to an eligible citizen of Iowa who desires to, in~~  
31 ~~accordance with the immigration laws of the United States,~~  
32 ~~make an international adoption.~~

\* 33 Sec. 3. EFFECTIVE DATE. This Act, being deemed of  
34 immediate importance, takes effect upon enactment.

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## HOUSE FILE 2190

S-5154

1 Amend House File 2190, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. Page 1, by inserting before line 1, the  
4 following:  
5 "Section 1. Section 144.23, subsection 3,  
6 unnumbered paragraph 2, Code 2001, is amended by  
7 striking the unnumbered paragraph."  
8 2. Page 1, by inserting after line 5, the  
9 following:  
10 "Sec. \_\_\_\_ . Section 600.13, subsection 5, Code  
11 Supplement 2001, is amended to read as follows:  
12 5. An interlocutory or a final adoption decree  
13 shall be entered with the clerk of court. Such decree  
14 shall set forth any facts of the adoption petition  
15 which have been proven to the satisfaction of the  
16 juvenile court or court and any other facts considered  
17 to be relevant by the juvenile court or court and  
18 shall grant the adoption petition. If so designated  
19 in the adoption decree, the name of the adopted person  
20 shall be changed by issuance of that decree. The  
21 clerk of the court shall, within thirty days of  
22 issuance, deliver one certified copy of any adoption  
23 decree to the petitioner, one copy of any adoption  
24 decree to the department and any agency or person  
25 making an independent placement who placed a minor  
26 person for adoption, and one certification of adoption  
27 as prescribed in section 144.19 to the state registrar  
28 of vital statistics. Upon receipt of the  
29 certification, the state registrar shall prepare a new  
30 birth certificate pursuant to section 144.23 and  
31 deliver to the parents named in the decree and any  
32 adult person adopted by the decree a copy of the new  
33 birth certificate. The parents shall pay the fee  
34 prescribed in section 144.46. If the person adopted  
35 was born outside ~~the~~ this state but in the United  
36 States, the state registrar shall forward the  
37 certification of adoption to the appropriate agency in  
38 the state ~~or foreign nation~~ of birth. A copy of any  
39 interlocutory adoption decree vacation shall be  
40 delivered and another birth certificate shall be  
41 prepared in the same manner as a certification of  
42 adoption is delivered and the birth certificate was  
43 originally prepared."  
44 3. By renumbering as necessary.

By JERRY BEHN  
JOHNIE HAMMOND

S-5154 FILED MARCH 13, 2002

*Adopted*  
3/18/02

## SENATE AMENDMENT TO HOUSE FILE 2190

H-8316

1 Amend House File 2190, as amended, passed, and  
2 reprinted by the House, as follows:

3 1. Page 1, by inserting before line 1, the  
4 following:

5 "Section 1. Section 144.23, subsection 3,  
6 unnumbered paragraph 2, Code 2001, is amended by  
7 striking the unnumbered paragraph."

8 2. Page 1, by inserting after line 5, the  
9 following:

10 "Sec. \_\_\_\_ . Section 600.13, subsection 5, Code  
11 Supplement 2001, is amended to read as follows:

12 5. An interlocutory or a final adoption decree  
13 shall be entered with the clerk of court. Such decree  
14 shall set forth any facts of the adoption petition  
15 which have been proven to the satisfaction of the  
16 juvenile court or court and any other facts considered  
17 to be relevant by the juvenile court or court and  
18 shall grant the adoption petition. If so designated  
19 in the adoption decree, the name of the adopted person  
20 shall be changed by issuance of that decree. The  
21 clerk of the court shall, within thirty days of  
22 issuance, deliver one certified copy of any adoption  
23 decree to the petitioner, one copy of any adoption  
24 decree to the department and any agency or person  
25 making an independent placement who placed a minor  
26 person for adoption, and one certification of adoption  
27 as prescribed in section 144.19 to the state registrar  
28 of vital statistics. Upon receipt of the  
29 certification, the state registrar shall prepare a new  
30 birth certificate pursuant to section 144.23 and  
31 deliver to the parents named in the decree and any  
32 adult person adopted by the decree a copy of the new  
33 birth certificate. The parents shall pay the fee  
34 prescribed in section 144.46. If the person adopted  
35 was born outside ~~the~~ this state but in the United  
36 States, the state registrar shall forward the  
37 certification of adoption to the appropriate agency in  
38 the state ~~or foreign nation~~ of birth. A copy of any  
39 interlocutory adoption decree vacation shall be  
40 delivered and another birth certificate shall be  
41 prepared in the same manner as a certification of  
42 adoption is delivered and the birth certificate was  
43 originally prepared."

44 3. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-8316 FILED MARCH 18, 2002

*House Concurred*  
*3-19-01*  
*(p. 846)*



HOUSE FILE 2190

AN ACT

RELATING TO THE PROCEDURAL REQUIREMENTS FOR FOREIGN AND  
INTERNATIONAL ADOPTION AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 144.23, subsection 3, unnumbered paragraph 2, Code 2001, is amended by striking the unnumbered paragraph.

Sec. 2. NEW SECTION. 144.25A CERTIFICATE OF BIRTH -- FOREIGN AND INTERNATIONAL ADOPTIONS.

The department shall adopt rules pursuant to chapter 17A to establish a procedure for the issuance of a certificate of birth for children adopted pursuant to section 600.15.

Sec. 3. Section 600.13, subsection 5, Code Supplement 2001, is amended to read as follows:

5. An interlocutory or a final adoption decree shall be entered with the clerk of court. Such decree shall set forth any facts of the adoption petition which have been proven to the satisfaction of the juvenile court or court and any other facts considered to be relevant by the juvenile court or court and shall grant the adoption petition. If so designated in the adoption decree, the name of the adopted person shall be changed by issuance of that decree. The clerk of the court shall, within thirty days of issuance, deliver one certified copy of any adoption decree to the petitioner, one copy of any adoption decree to the department and any agency or person making an independent placement who placed a minor person for adoption, and one certification of adoption as prescribed in section 144.19 to the state registrar of vital statistics. Upon receipt of the certification, the state registrar shall prepare a new birth certificate pursuant to section 144.23 and deliver to the parents named in the decree and any adult

person adopted by the decree a copy of the new birth certificate. The parents shall pay the fee prescribed in section 144.46. If the person adopted was born outside the this state but in the United States, the state registrar shall forward the certification of adoption to the appropriate agency in the state ~~or foreign nation~~ of birth. A copy of any interlocutory adoption decree vacation shall be delivered and another birth certificate shall be prepared in the same manner as a certification of adoption is delivered and the birth certificate was originally prepared.

Sec. 4. Section 600.15, Code Supplement 2001, is amended to read as follows:

600.15 FOREIGN AND INTERNATIONAL ADOPTIONS.

~~1. A decree establishing a parent-child relationship by adoption which is issued pursuant to due process of law by a juvenile court or court of any other jurisdiction in within or outside the United States shall be recognized in this state.~~

~~b. A decree terminating a parent-child relationship which is issued pursuant to due process of law by a juvenile court or court of any other jurisdiction in the United States shall be recognized in this state.~~

~~c. Documentation demonstrating that a child has been legally released or approved for adoption by the child's country of origin shall be accepted as evidence that termination of parental rights has been completed in that country and shall be recognized in this state.~~

~~2. If an adoption has occurred in the minor person's country of origin, a further adoption must occur in the state where the adopting parents reside in accordance with the adoption laws of that state.~~

~~3. A licensed child-placing agency as defined in section 230.27, a person making an independent placement as defined in section 600A.27 or an investigator may provide necessary assistance to an eligible citizen of Iowa who desires to, in~~

~~accordance-with-the-immigration-laws-of-the-United-States,~~  
~~make-an-international-adoption.~~

Sec. 5. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

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BRENT SIEGRIST  
Speaker of the House

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MARY E. KRAMER  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2190, Seventy-ninth General Assembly.

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MARGARET THOMSON  
Chief Clerk of the House

Approved 3/29/02, 2002

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THOMAS J. VILSACK  
Governor