

Senate File 154 - Introduced

SENATE FILE 154
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1006)

A BILL FOR

1 An Act authorizing the waiver of preplacement investigations and
2 reports in certain adoption proceedings.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 600.8, subsection 2, paragraph a,
2 subparagraph (2), Code 2025, is amended to read as follows:

3 (2) A report of a preplacement investigation that has
4 approved a prospective adoption petitioner for a placement shall
5 not authorize placement of a minor person with that petitioner
6 after two years from the date of the report's issuance. However,
7 if the prospective adoption petitioner is ~~a relative within the~~
8 ~~fourth degree of consanguinity who~~ described by subsection 12,
9 paragraph "a", subparagraph (1) or (2), and has assumed custody
10 of a minor person to be adopted, a preplacement investigation
11 of this petitioner and a report of the investigation may be
12 completed at a time established by the juvenile court or court
13 or may be waived as provided in subsection 12.

14 Sec. 2. Section 600.8, subsections 7 and 12, Code 2025, are
15 amended to read as follows:

16 7. a. Any An investigation or report shall not be required
17 under this section ~~shall not apply when the~~ in any of the
18 following circumstances:

19 (1) The person to be adopted is an adult ~~or when the.~~

20 (2) The prospective adoption petitioner or adoption
21 petitioner is a stepparent of the person to be adopted. However,
22 in the case of a stepparent adoption, the juvenile court or
23 court, upon the request of an interested person or on its own
24 motion stating the reasons therefor of record, may order an
25 investigation or report pursuant to this section. ~~Additionally,~~
26 ~~if~~

27 b. If an adoption petitioner discloses a criminal conviction
28 or deferred judgment for an offense, other than a simple
29 misdemeanor, or founded child abuse report pursuant to section
30 600.5, the petitioner shall notify the court of the inclusion
31 of this information in the petition prior to the final adoption
32 hearing, and the court shall make a specific ruling regarding
33 whether to waive any investigation or report required under
34 subsection 1.

35 12. a. Any investigation and report required under

1 ~~subsection 1 may be waived by the~~ A juvenile court or court
2 if the may waive an investigation and report required under
3 subsection 1 in any of the following circumstances:

4 (1) The adoption petitioner is related within the fourth
5 degree of consanguinity to the person to be adopted. However,
6 if

7 (2) The adoption petitioner meets all of the following
8 requirements:

9 (a) The adoption petitioner is the current legal guardian for
10 the person to be adopted.

11 (b) The adoption petitioner has been the legal guardian for
12 the person to be adopted for the thirty-six consecutive months
13 immediately preceding the date the adoption petition is filed.

14 (c) The adoption petitioner has complied with section
15 232D.402 for the thirty-six consecutive months immediately
16 preceding the date the adoption petition is filed.

17 b. Notwithstanding paragraph "a", if an adoption petitioner
18 discloses a criminal conviction or deferred judgment for an
19 offense, other than a simple misdemeanor, or founded child abuse
20 report pursuant to section 600.5, the petitioner shall notify
21 the court of the inclusion of this information in the petition
22 prior to the final adoption hearing, and the court shall make a
23 specific ruling regarding whether to waive any investigation or
24 report required under subsection 1.

25 EXPLANATION

26 The inclusion of this explanation does not constitute agreement with
27 the explanation's substance by the members of the general assembly.

28 This bill relates to the waiver of preplacement investigations
29 and reports in certain adoption proceedings. The bill authorizes
30 a juvenile court or court to waive a preplacement investigation
31 and report for an adoption if the adoption petitioner is the
32 current legal guardian for the person to be adopted and has been
33 for the 36 consecutive months immediately preceding the date the
34 adoption petition was filed. The petitioner must have complied
35 with the duties and responsibilities of a guardian for those 36

1 consecutive months. Current law only authorizes the court to
2 waive a preplacement investigation and report if the adoption
3 petitioner is related to the person to be adopted within the
4 fourth degree of consanguinity.

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