

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 8, 2007
Date

Committee on Health and Human Services.

After consideration on the merits, the Committee recommends the following:

HB07-1330 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 2, line 6, after "CONSENT", insert "IN A
- 2 SECOND-PARENT ADOPTION";

- 3 line 9, before "If", insert "IN A PETITION FOR A SECOND-PARENT
- 4 ADOPTION, THE COURT SHALL REQUIRE A WRITTEN HOME STUDY REPORT
- 5 PREPARED BY A COUNTY DEPARTMENT OF SOCIAL SERVICES, DESIGNATED
- 6 QUALIFIED INDIVIDUAL, OR CHILD PLACEMENT AGENCY AND APPROVED BY
- 7 THE DEPARTMENT PURSUANT TO SECTION 19-5-207.5 (2).";

- 8 line 12, strike "PRESENT IN THE HOME DURING" and substitute "INCLUDED
- 9 IN";

- 10 line 16, strike "SECOND ADOPTION" and substitute "FILING OF A PETITION
- 11 FOR ADOPTION BY THE SECOND PROSPECTIVE PARENT";

- 12 after line 19, insert the following:

- 13 **"SECTION 2.** 19-5-208 (5), Colorado Revised Statutes, is
- 14 amended to read:

- 15 **19-5-208. Petition for adoption.** (5) In all stepparent, SECOND
- 16 PARENT, custodial, and kinship adoptions, the petition shall contain a
- 17 statement informing the court whether the prospective adoptive parent
- 18 was convicted at any time by a court of competent jurisdiction of a felony
- 19 or misdemeanor in one of the following areas: Child abuse or neglect;
- 20 spousal abuse; any crime against a child; any crime, the underlying

1 factual basis of which has been found by the court on the record to
2 include an act of domestic violence, as defined in section 18-6-800.3,
3 C.R.S.; violation of a protection order, as described in section
4 18-6-803.5, C.R.S.; any crime involving violence, rape, sexual assault,
5 or homicide; or any felony physical assault or battery. In addition, the
6 petitioner shall attach to the petition a current criminal history records
7 check paid for by the petitioner.

8 **SECTION 3.** 19-5-210 (1.5), Colorado Revised Statutes, is
9 amended to read:

10 **19-5-210. Hearing on petition.** (1.5) Except in stepparent,
11 SECOND PARENT, custodial, or kinship adoptions, the court shall issue a
12 certificate of approval of placement, placing the child's custodial care
13 with prospective adoptive parents pending final hearing on the petition
14 for adoption, if it appears to the court that the placement for adoption is
15 in the best interest of the child.

16 **SECTION 4.** 19-5-211 (1.5), Colorado Revised Statutes, is
17 amended to read:

18 **19-5-211. Legal effects of final decree.** (1.5) An employer who
19 permits paternity or maternity time off for biological parents following
20 the birth of a child shall, upon request, make such time off available for
21 individuals adopting a child. If the employer has established a policy
22 providing time off for biological parents, that period of time shall be the
23 minimum period of leave available for adoptive parents. Requests for
24 additional leave due to the adoption of an ill child or a child with a
25 disability shall be considered on the same basis as comparable cases of
26 such complications accompanying the birth of such a child to an
27 employee or employee's spouse. Any other benefits provided by the
28 employer, such as job guarantee or pay, shall be available to both
29 adoptive and biological parents on an equal basis. An employer shall not
30 penalize an employee for exercising the rights provided by this
31 subsection (1.5). The provisions of this subsection (1.5) shall not apply
32 to an adoption by the spouse of a custodial parent OR TO A
33 SECOND-PARENT ADOPTION."

34 Renumber succeeding section accordingly.

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