



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

Synopsis of Senate Committee Amendments

(This synopsis does not address amendments that may have been adopted on the Senate Floor.)

H.B. 5 of the 135th General Assembly

Senate Judiciary

Amy L. Archer, Research Analyst

Consent for adult adoption

- Returns to current law the requirement that the adult to be adopted consent to the adoption if the adult either (1) had an established relationship with the petitioner as a minor or (2) was, at the time of the adult's 18th birthday, in the permanent custody or in a planned permanent living arrangement with a public children services agency (PCSA) or private child placing agency (PCPA).

When consent for adoption not required

- Modifies existing law to specify that a parent's consent is not required when the parent has failed to provide *meaningful and regular* maintenance and support for one year before the adoption petition is filed.
- Modifies existing law to specify that a putative father's consent is not required when he has failed *without justifiable cause to have more than de minimis contact with the minor or to provide meaningful and regular maintenance and support* for the minor or willfully *failed to meaningfully and regularly care for and support* the minor's mother during her pregnancy until the time of the minor's surrender or placement.
- Specifies that a parent's consent is not required when the parent has been convicted of or pleaded guilty to an offense that resulted (1) in the death of the minor's primary care provider (in addition to the minor's other parent, legal custodian, or guardian as under the House-passed version) or (2) a term of incarceration that is expected to extend beyond the minor's age of majority.
- Returns to current law the provision that consent to adoption is not required of any guardian, custodian, or other party who has temporary custody of the child.

Pending adoption and permanent custody proceedings

- Removes the bill's provision allowing an adoption petition to be filed for a child who is subject to a pending permanent custody proceeding and prohibits a final adoption order from being issued until the permanent custody proceeding has concluded.
- Removes the bill's prohibition on a court from considering a pending adoption proceeding when determining whether to grant permanent custody of a child to a PCSA or PCPA that has filed a motion requesting permanent custody.

Adoption notification requirements

- Requires the court to give notice of the filing of an adoption petition and of the time and place of the hearing at least 30 days, rather than 20 days, before the date of the adoption hearing.
- Removes the bill's requirement that the court give notice to any guardian ad litem of the person to be adopted.

Notice of adoption filing

- Modifies the bill's language in the notice the clerk of court must send to a parent on the filing of an adoption petition.

Adoption of human trafficking victims

- Allows a court to *reconsider and vacate*, rather than *revisit*, the adoption decree of a child *if there is clear and convincing evidence* that the child was a victim of trafficking in persons *and provides that a conviction is not required to reconsider the adoption*.

Inclusion of individual's spouse in adoption proceeding

- Provides that, for purposes of Adoption Law, "grandparent," "adult sibling," "legal custodian," and "guardian" include that individual's spouse when a joint adoption is pending and makes conforming changes.

Termination of child support order

- Requires the court, on issuance of a final adoption decree, to notify the child support enforcement agency administering a child support order for the adopted child and requires the agency to terminate any support order that exists for the child.

Miscellaneous changes

- Makes various changes to Adoption Law definitions.