

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE

House Bill 563
Judiciary

(Delegate Dumais)

Judicial Proceedings

Adoption - Payment of Expenses

This bill authorizes the payment, by an interested person, of specified reasonable expenses in connection with adoptions.

Fiscal Summary

State Effect: The bill's changes do not materially impact State operations or finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: In private adoptions not arranged by a child placement agency, an interested person may pay (1) reasonable expenses for transportation for medical care associated with the pregnancy or birth of the child; (2) reasonable expenses for food, clothing, and shelter for a birth mother if, on written advice of a physician, the birth mother is unable to work or otherwise support herself because of medical reasons associated with the pregnancy or birth of the child; or (3) reasonable expenses associated with any required court appearance relating to the adoption, including transportation, food, and lodging expenses. An interested person in a private adoption arranged by a child placement agency is authorized to pay the expenses specified above, as well as a customary and reasonable charge or fee for adoption counseling.

Current Law: Unless otherwise provided by law, a person may not charge or receive from or for a parent or prospective adoptive parent, any compensation in connection with

placement of an individual to live with a preadoptive family or an agreement for custody in contemplation of adoption. For adoptions arranged other than by a child placement agency, an interested person may pay a customary and reasonable charge or fee for adoption counseling, hospital, legal, or medical services. For adoptions arranged through a child placement agency, an interested person may pay a customary and reasonable charge or fee for hospital, legal, or medical services.

An individual who violates these provisions is guilty of a misdemeanor and subject to maximum penalties of three months imprisonment and/or a \$100 fine.

Background: Other states, including Virginia, allow living expenses to be paid on behalf of pregnant women considering adoption.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), State's Attorneys' Association, Virginia Legislature, Department of Legislative Services

Fiscal Note History: First Reader - February 26, 2013
mlm/kdm

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