

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 1382 (Delegates Montague and Preis)
Judiciary

Maryland Uniform Adoption Act

This bill establishes general procedures for the adoption of minors and repeals current adoption law, except for adoption subsidy law. Adoption procedures specified by the bill include preplacement evaluation, consent to adoption, petition for adoption, petition to terminate the relationship between a parent and child, decree of adoption, adoption of a minor stepchild by a stepparent, and adoption of adults and emancipated minors. It provides for the safekeeping of adoption records and specifies prohibited and permissible activities related to adoption. The bill establishes new recordkeeping and monitoring functions for the Department of Human Resources.

Fiscal Summary

State Effect: Potential indeterminate effect on expenditures and revenues as discussed below.

Local Effect: Potential indeterminate effect on expenditures and revenues as discussed below.

Small Business Effect: Potential meaningful effect on small businesses as discussed below.

Fiscal Analysis

State Effect: Any revision of State adoption law will affect the Department of Human Resources administrative activities and foster care expenditures and circuit court hearings and procedures. The bill affects many adoption practices that are either in the Family Law article, the Maryland Rules (promulgated by the Court of Appeals), or are currently uncodified. It is difficult to reliably estimate the bill's total effect on State expenditures without a comprehensive study of existing adoption law and practices as carried out by the

Department of Human Resources, the local departments of social services, and the circuit courts as compared to the practices prescribed in the bill.

In any event, to the extent that the bill expedites adoption proceedings and allows children to spend less time in foster care, State foster care expenditures would decrease. For example, the bill allows a birth parent to revoke consent to adopt within eight days after a minor's birth. After eight days, revocation of consent is only allowed if the birth parent and prospective parent or adoption agency mutually agree to the revocation. Current law allows revocation of consent within 30 days after the minor's birth.

Local Effect: The bill affects many adoption practices that are either in the Family Law article, the Maryland Rules (promulgated by the Court of Appeals), or are currently uncodified. It is difficult to reliably estimate the bill's effect on local expenditures without a comprehensive study of existing adoption law and practices as carried out by the circuit courts compared to the practices prescribed in the bill.

Small Business Effect: The bill affects many adoption practices that are either in the Family Law article, the Maryland Rules (promulgated by the Court of Appeals), or are currently uncodified. It is difficult to reliably estimate the bill's effect on small businesses without a comprehensive study of existing adoption law and practices as carried out by adoption agencies and independent adoption practitioners compared to the practices prescribed in the bill.

Information Source(s): Department of Fiscal Services, Department of Human Resources, Judiciary (Administrative Office of the Courts)

Fiscal Note History: First Reader - March 17, 1997
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