

# **WEST VIRGINIA LEGISLATURE**

**2020 REGULAR SESSION**

**ENROLLED**

**Committee Substitute**

**for**

**House Bill 4129**

BY DELEGATES SUMMERS, HILL, PACK, ESPINOSA,

HANNA, ROWAN, WORRELL, ESTEP-BURTON,

FLEISCHAUER, C. THOMPSON AND WALKER

[Passed February 12, 2020; in effect ninety days from passage.]



1 AN ACT to amend and reenact §48-22-201 and §48-22-501 of the Code of West Virginia, 1931,  
2 as amended, all relating to adoption; providing for the location of the adoption hearing;  
3 and eliminating a waiting period.

*Be it enacted by the Legislature of West Virginia:*

## **CHAPTER 48. DOMESTIC RELATIONS.**

### **PART 2. PERSONS WHO MAY ADOPT.**

#### **ARTICLE 22. ADOPTION.**

##### **§48-22-201. Persons who may petition for decree of adoption.**

1 Any person not married or any person, with his or her spouse's consent, or any husband  
2 and wife jointly, may petition a circuit court of the county wherein such person or persons reside  
3 for a decree of adoption of any minor child or person who may be adopted by the petitioner or  
4 petitioners: *Provided*, That if the minor child to be adopted has been removed from a prior home  
5 due to an abuse or neglect proceeding, the petition may be filed in the same county as the original  
6 abuse and neglect proceeding regarding the minor child.

### **PART 5. PETITION FOR ADOPTION.**

##### **§48-22-501. Filing of petition for adoption.**

1 The petition for adoption may be filed at any time after the child who is the subject of the  
2 adoption is born, the adoptive placement determined and all consents or relinquishments that can  
3 be obtained have been executed. The hearing on the petition may be held only after the child has  
4 lived with the adoptive parent or parents for a period of six months, proper notice of the petition  
5 has been given and all necessary consents or relinquishments have been executed and submitted  
6 or the rights of all nonconsenting birth parents have otherwise been terminated.



The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

.....  
*Chairman, House Committee*

.....  
*Chairman, Senate Committee*

Originating in the House.

In effect ninety days from passage.

.....  
*Clerk of the House of Delegates*

.....  
*Clerk of the Senate*

.....  
*Speaker of the House of Delegates*

.....  
*President of the Senate*

\_\_\_\_\_

The within ..... this the.....  
day of ....., 2020.

.....  
*Governor*