

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3175

By Delegate C. Pritt

[Introduced January 31, 2023; Referred to the
Committee on Senior, Children, and Family Issues
then the Judiciary]

1 A BILL to amend and reenact §48-22-201 of the Code of West Virginia, 1931, as amended,
 2 relating to venue for an adoption when a court had guardianship jurisdiction of a minor
 3 child.

Be it enacted by the Legislature of West Virginia:

ARTICLE 22. ADOPTION.

§48-22-201. Persons who may petition for decree of adoption; venue when court has guardianship jurisdiction.

1 (a) Any person not married or any person, with his or her spouse’s consent, or any
 2 husband and wife jointly, may petition a circuit court of the county wherein such person or persons
 3 reside for a decree of adoption of any minor child or person who may be adopted by the petitioner
 4 or 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.

7 (b) Notwithstanding any other provision of this code to the contrary, the location of a court
 8 that had guardianship jurisdiction over a minor child has venue for an adoption petition of that
 9 child.

NOTE: The purpose of this bill is to provide that the location of a court with guardianship jurisdiction of a minor child has venue for an adoption.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.