

Regular Session, 2010

HOUSE BILL NO. 738

BY REPRESENTATIVE LAFONTA

CHILDREN/ADOPTION: Provides relative to persons who may petition for intrafamily adoption

1 AN ACT

2 To amend and reenact Children's Code Articles 1243(A) and (B) and 1256(C), relative to  
3 intrafamily adoptions; to provide for the persons who may petition for intrafamily  
4 adoptions; to add second parent to the list of petitioners; to provide for the death of  
5 a sole legal parent; to provide an exception for the termination of rights; and to  
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Children's Code Articles 1243(A) and (B) and 1256(C) are hereby  
9 amended and reenacted to read as follows:

10 Art. 1243. Persons who may petition for intrafamily adoption

11 A. A stepparent, stepgrandparent, great-grandparent, grandparent, second  
12 parent, aunt, great aunt, uncle, great uncle, sibling, or first, second, or third cousin  
13 may petition to adopt a child if all of the following elements are met:

14 (1) The petitioner is related to the child by blood, adoption, or affinity  
15 through a parent recognized as having parental rights or the petitioner is the sole  
16 legal parent and agrees to the adoption of the child by a second parent.

17 (2) The petitioner is a single person over the age of eighteen or a married  
18 person whose spouse is a joint petitioner.

19 (3) The petitioner has had or shared legal or physical custody of the child for  
20 at least six months prior to filing the petition for adoption.



Proposed law retains present law and provides the same exception regarding second parents and relationship of the sole legal parent to the child.

(Amends Ch.C. Arts. 1243(A) and (B) and 1256(C))