

A-Engrossed
Senate Bill 10

Ordered by the Senate May 1
Including Senate Amendments dated May 1

Sponsored by Senators COURTNEY, PROZANSKI, Representatives HUNT, BARKER

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires Department of Human Services to establish rules, policies and procedures to implement Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption in Oregon.

Becomes operative July 1, 2010.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to intercountry adoptions of children in custody of the Department of Human Services; and
3 declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. (1) As used in this section:**

6 (a) **"Convention" means the Convention on Protection of Children and Co-operation in**
7 **Respect of Intercountry Adoption, concluded May 29, 1993, and entered into force for the**
8 **United States on April 1, 2008.**

9 (b) **"Convention adoption" means the adoption of a child resident in a Convention country**
10 **by a United States citizen, or the adoption of a child resident in the United States by an in-**
11 **dividual residing in a Convention country when, in connection with the adoption, the child**
12 **has moved or will move between the United States and the Convention country.**

13 (c) **"Convention country" means a country that is a party to the Convention and with**
14 **which the Convention is in force for the United States.**

15 (d) **"Intercountry Adoption Act of 2000" means the Intercountry Adoption Act of 2000,**
16 **42 U.S.C. 14901 et seq.**

17 (2) **To the extent consistent with the Convention and the Intercountry Adoption Act of**
18 **2000, the Department of Human Services shall establish rules, policies and procedures to**
19 **implement the Convention, the Intercountry Adoption Act of 2000 and any applicable federal**
20 **laws or regulations governing Convention adoptions with respect to any child who is the**
21 **subject of a Convention adoption, if the child is in the department's custody pursuant to a**
22 **court order under ORS 418.015 or ORS chapter 419B or 419C or other law of this state.**

23 **SECTION 2. (1) Section 1 of this 2009 Act applies to Convention adoptions, as defined in**
24 **section 1 of this 2009 Act, pending or initiated on or after the operative date of section 1 of**
25 **this 2009 Act.**

26 (2) **Section 1 of this 2009 Act becomes operative on July 1, 2010.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 **SECTION 3.** The Department of Human Services may take any action before the opera-
2 tive date specified in section 2 of this 2009 Act that is necessary to enable the department
3 to establish the rules, policies and procedures required by section 1 of this 2009 Act on or
4 after the operative date specified in section 2 of this 2009 Act.

5 **SECTION 4.** This 2009 Act being necessary for the immediate preservation of the public
6 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect
7 on its passage.

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