

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 1613, Page 1, Section A, Line 2, by inserting after said section and line the
2 following:

3
4 "135.325. Sections 135.325 to 135.339 shall be known and may be cited as the "[Special
5 Needs] Adoption Tax Credit Act".

6 135.326. As used in sections 135.325 to 135.339, the following terms shall mean:

7 (1) "Business entity", person, firm, a partner in a firm, corporation or a shareholder in an S
8 corporation doing business in the state of Missouri and subject to the state income tax imposed by
9 the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax
10 imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its
11 gross premium receipts in this state, or other financial institution paying taxes to the state of
12 Missouri or any political subdivision of this state under the provisions of chapter 148, or an express
13 company which pays an annual tax on its gross receipts in this state pursuant to chapter 153;

14 (2) "Handicap", a mental, physical, or emotional impairment that substantially limits one or
15 more major life activities, whether the impairment is congenital or acquired by accident, injury or
16 disease, and where the impairment is verified by medical findings;

17 (3) "Nonrecurring adoption expenses", reasonable and necessary adoption fees, court costs,
18 attorney fees, and other expenses which are directly related to the legal adoption of a [special-needs]
19 child and which are not incurred in violation of federal, state, or local law;

20 (4) "Special needs child", a child for whom it has been determined by the children's
21 division, or by a child-placing agency licensed by the state, or by a court of competent jurisdiction
22 to be a child:

23 (a) That cannot or should not be returned to the home of his or her parents; and

24 (b) Who has a specific factor or condition such as ethnic background, age, membership in a
25 minority or sibling group, medical condition, or handicap because of which it is reasonable to
26 conclude that such child cannot be easily placed with adoptive parents;

27 (5) "State tax liability", any liability incurred by a taxpayer under the provisions of chapter
28 143, chapter 147, chapter 148, and chapter 153, exclusive of the provisions relating to the
29 withholding of tax as provided for in sections 143.191 to 143.265 and related provisions.

30 135.327. 1. Any person residing in this state who legally adopts a special needs child on or
31 after January 1, 1988, and before January 1, 2000, shall be eligible to receive a tax credit of up to
32 ten thousand dollars for nonrecurring adoption expenses for each child adopted that may be applied
33 to taxes due under chapter 143. Any business entity providing funds to an employee to enable that
34 employee to legally adopt a special needs child shall be eligible to receive a tax credit of up to ten
35 thousand dollars for nonrecurring adoption expenses for each child adopted that may be applied to
36 taxes due under such business entity's state tax liability, except that only one ten thousand dollar

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1 credit is available for each special needs child that is adopted.

2 2. Any person residing in this state who proceeds in good faith with the adoption of a
3 special needs child on or after January 1, 2000, and before January 1, 2021, shall be eligible to
4 receive a tax credit of up to ten thousand dollars for nonrecurring adoption expenses for each child
5 that may be applied to taxes due under chapter 143; provided, however, that beginning on March 29,
6 2013, the tax credits shall only be allocated for the adoption of special needs children who are
7 residents or wards of residents of this state at the time the adoption is initiated. Any business entity
8 providing funds to an employee to enable that employee to proceed in good faith with the adoption
9 of a special needs child shall be eligible to receive a tax credit of up to ten thousand dollars for
10 nonrecurring adoption expenses for each child that may be applied to taxes due under such business
11 entity's state tax liability, except that only one ten thousand dollar credit is available for each special
12 needs child that is adopted.

13 3. Any person residing in this state who proceeds in good faith with the adoption of a child
14 on or after January 1, 2021, regardless of whether such child is a special needs child, shall be
15 eligible to receive a tax credit of up to ten thousand dollars for nonrecurring adoption expenses for
16 each child that may be applied to taxes due under chapter 143. The tax credit shall be allowed
17 regardless of whether the child adopted is a resident or ward of a resident of this state at the time the
18 adoption is initiated. Any business entity providing funds to an employee to enable that employee
19 to proceed in good faith with the adoption of a child shall be eligible to receive a tax credit of up to
20 ten thousand dollars for nonrecurring adoption expenses for each child that may be applied to taxes
21 due under such business entity's state tax liability; except that, only one credit, of up to ten thousand
22 dollars, is available for each child that is adopted.

23 4. Individuals and business entities may claim a tax credit for their total nonrecurring
24 adoption expenses in each year that the expenses are incurred. A claim for fifty percent of the credit
25 shall be allowed when the child is placed in the home. A claim for the remaining fifty percent shall
26 be allowed when the adoption is final. The total of these tax credits shall not exceed the maximum
27 limit of ten thousand dollars per child. The cumulative amount of tax credits which may be claimed
28 by taxpayers claiming the credit for nonrecurring adoption expenses in any one fiscal year prior to
29 July 1, 2004, shall not exceed two million dollars. The cumulative amount of tax credits that may
30 be claimed by taxpayers claiming the credit for nonrecurring adoption expenses shall not be more
31 than two million dollars but may be increased by appropriation in any fiscal year beginning on or
32 after July 1, 2004. For all fiscal years beginning on or after July 1, 2006, applications to claim the
33 adoption tax credit ~~[for special needs children who are residents or wards of residents of this state at~~
34 ~~the time the adoption is initiated]~~ shall be filed between July first and April fifteenth of each fiscal
35 year.

36 [4.] 5. Notwithstanding any provision of law to the contrary, any individual or business
37 entity may assign, transfer or sell tax credits allowed in this section. Any sale of tax credits claimed
38 pursuant to this section shall be at a discount rate of seventy-five percent or greater of the amount
39 sold.

40 135.335. In the year of adoption and in any year thereafter in which the credit is carried
41 forward pursuant to section 135.333, the credit shall be reduced by an amount equal to the state's
42 cost of providing care, treatment, maintenance and services when:

43 (1) The ~~[special needs]~~ child is placed, with no intent to return to the adoptive home, in
44 foster care or residential treatment licensed or operated by the children's division, the division of
45 youth services or the department of mental health; or

46 (2) A juvenile court temporarily or finally relieves the adoptive parents of custody of the
47 ~~[special needs]~~ child.

48 135.800. 1. The provisions of sections 135.800 to 135.830 shall be known and may be cited
49 as the "Tax Credit Accountability Act of 2004".

1 2. As used in sections 135.800 to 135.830, the following terms mean:

2 (1) "Administering agency", the state agency or department charged with administering a
3 particular tax credit program, as set forth by the program's enacting statute; where no department or
4 agency is set forth, the department of revenue;

5 (2) "Agricultural tax credits", the agricultural product utilization contributor tax credit
6 created pursuant to section 348.430, the new generation cooperative incentive tax credit created
7 pursuant to section 348.432, the family farm breeding livestock loan tax credit created under section
8 348.505, the qualified beef tax credit created under section 135.679, and the wine and grape
9 production tax credit created pursuant to section 135.700;

10 (3) "All tax credit programs", or "any tax credit program", the tax credit programs included
11 in the definitions of agricultural tax credits, business recruitment tax credits, community
12 development tax credits, domestic and social tax credits, entrepreneurial tax credits, environmental
13 tax credits, financial and insurance tax credits, housing tax credits, redevelopment tax credits, and
14 training and educational tax credits;

15 (4) "Business recruitment tax credits", the business facility tax credit created pursuant to
16 sections 135.110 to 135.150 and section 135.258, the enterprise zone tax benefits created pursuant to
17 sections 135.200 to 135.270, the business use incentives for large-scale development programs
18 created pursuant to sections 100.700 to 100.850, the development tax credits created pursuant to
19 sections 32.100 to 32.125, the rebuilding communities tax credit created pursuant to section
20 135.535, the film production tax credit created pursuant to section 135.750, the enhanced enterprise
21 zone created pursuant to sections 135.950 to 135.970, and the Missouri quality jobs program created
22 pursuant to sections 620.1875 to 620.1900;

23 (5) "Community development tax credits", the neighborhood assistance tax credit created
24 pursuant to sections 32.100 to 32.125, the family development account tax credit created pursuant to
25 sections 208.750 to 208.775, the dry fire hydrant tax credit created pursuant to section 320.093, and
26 the transportation development tax credit created pursuant to section 135.545;

27 (6) "Domestic and social tax credits", the youth opportunities tax credit created pursuant to
28 section 135.460 and sections 620.1100 to 620.1103, the shelter for victims of domestic violence
29 created pursuant to section 135.550, the senior citizen or disabled person property tax credit created
30 pursuant to sections 135.010 to 135.035, the ~~[special needs]~~ adoption tax credit created pursuant to
31 sections 135.325 to 135.339, the champion for children tax credit created pursuant to section
32 135.341, the maternity home tax credit created pursuant to section 135.600, the surviving spouse tax
33 credit created pursuant to section 135.090, the residential treatment agency tax credit created
34 pursuant to section 135.1150, the pregnancy resource center tax credit created pursuant to section
35 135.630, the food pantry tax credit created pursuant to section 135.647, the health care access fund
36 tax credit created pursuant to section 135.575, the residential dwelling access tax credit created
37 pursuant to section 135.562, the developmental disability care provider tax credit created under
38 section 135.1180, the shared care tax credit created pursuant to section 192.2015, and the diaper
39 bank tax credit created pursuant to section 135.621;

40 (7) "Entrepreneurial tax credits", the capital tax credit created pursuant to sections 135.400
41 to 135.429, the certified capital company tax credit created pursuant to sections 135.500 to 135.529,
42 the seed capital tax credit created pursuant to sections 348.300 to 348.318, the new enterprise
43 creation tax credit created pursuant to sections 620.635 to 620.653, the research tax credit created
44 pursuant to section 620.1039, the small business incubator tax credit created pursuant to section
45 620.495, the guarantee fee tax credit created pursuant to section 135.766, and the new generation
46 cooperative tax credit created pursuant to sections 32.105 to 32.125;

47 (8) "Environmental tax credits", the charcoal producer tax credit created pursuant to section
48 135.313, the wood energy tax credit created pursuant to sections 135.300 to 135.311, and the
49 alternative fuel stations tax credit created pursuant to section 135.710;

1 (9) "Financial and insurance tax credits", the bank franchise tax credit created pursuant to
2 section 148.030, the bank tax credit for S corporations created pursuant to section 143.471, the exam
3 fee tax credit created pursuant to section 148.400, the health insurance pool tax credit created
4 pursuant to section 376.975, the life and health insurance guaranty tax credit created pursuant to
5 section 376.745, the property and casualty guaranty tax credit created pursuant to section 375.774,
6 and the self-employed health insurance tax credit created pursuant to section 143.119;

7 (10) "Housing tax credits", the neighborhood preservation tax credit created pursuant to
8 sections 135.475 to 135.487, the low-income housing tax credit created pursuant to sections 135.350
9 to 135.363, and the affordable housing tax credit created pursuant to sections 32.105 to 32.125;

10 (11) "Recipient", the individual or entity who is the original applicant for and who receives
11 proceeds from a tax credit program directly from the administering agency, the person or entity
12 responsible for the reporting requirements established in section 135.805;

13 (12) "Redevelopment tax credits", the historic preservation tax credit created pursuant to
14 sections 253.545 to 253.559, the brownfield redevelopment program tax credit created pursuant to
15 sections 447.700 to 447.718, the community development corporations tax credit created pursuant to
16 sections 135.400 to 135.430, the infrastructure tax credit created pursuant to subsection 6 of section
17 100.286, the bond guarantee tax credit created pursuant to section 100.297, the disabled access tax
18 credit created pursuant to section 135.490, the new markets tax credit created pursuant to section
19 135.680, and the distressed areas land assemblage tax credit created pursuant to section 99.1205;

20 (13) "Training and educational tax credits", the Missouri works new jobs tax credit and
21 Missouri works retained jobs credit created pursuant to sections 620.800 to 620.809.

22 210.160. 1. In every case involving an abused or neglected child which results in a judicial
23 proceeding, the judge shall appoint a guardian ad litem to appear for and represent:

24 (1) A child who is the subject of proceedings pursuant to sections 210.110 to 210.165 except
25 proceedings under subsection 6 of section 210.152, sections 210.700 to 210.760, sections 211.442 to
26 211.487, or sections 453.005 to 453.170~~], or proceedings to determine custody or visitation rights~~
27 ~~under sections 452.375 to 452.410]; or~~

28 (2) A parent who is a minor, or who is a mentally ill person or otherwise incompetent, and
29 whose child is the subject of proceedings under sections 210.110 to 210.165, sections 210.700 to
30 210.760, sections 211.442 to 211.487, or sections 453.005 to 453.170.

31 2. The judge, either sua sponte or upon motion of a party, may appoint a guardian ad litem
32 to appear for and represent an abused or neglected child involved in proceedings arising under
33 subsection 6 of section 210.152.

34 3. The guardian ad litem shall be provided with all reports relevant to the case made to or by
35 any agency or person, shall have access to all records of such agencies or persons relating to the
36 child or such child's family members or placements of the child, and upon appointment by the court
37 to a case, shall be informed of and have the right to attend any and all family support team meetings
38 involving the child. Employees of the division, officers of the court, law enforcement personnel,
39 and employees of any agency involved shall fully inform the guardian ad litem of all aspects of the
40 case of which they have knowledge or belief within forty-eight hours of an inquiry by a guardian ad
41 litem.

42 4. The appointing judge shall require the guardian ad litem to faithfully discharge such
43 guardian ad litem's duties, and upon failure to do so shall discharge such guardian ad litem and
44 appoint another. The appointing judge shall have the authority to examine the general and criminal
45 background of persons appointed as guardians ad litem, including utilization of the family care
46 safety registry and access line pursuant to sections 210.900 to 210.937, to ensure the safety and
47 welfare of the children such persons are appointed to represent. The judge in making appointments
48 pursuant to this section shall give preference to persons who served as guardian ad litem for the
49 child in the earlier proceeding, unless there is a reason on the record for not giving such preference.

1 5. The guardian ad litem may be awarded a reasonable fee for such services to be set by the
 2 court. The court, in its discretion, may award such fees as a judgment to be paid by any party to the
 3 proceedings or from public funds. If a guardian ad litem files a petition for termination of parental
 4 rights as permitted in section 211.447, costs shall be charged to the division. However, no fees as a
 5 judgment shall be taxed against a party or parties who have not been found to have abused or
 6 neglected a child or children. Such an award of guardian fees shall constitute a final judgment in
 7 favor of the guardian ad litem. Such final judgment shall be enforceable against the parties in
 8 accordance with chapter 513.

9 6. The court may designate volunteer advocates, who may or may not be attorneys licensed
 10 to practice law, to assist in the performance of the guardian ad litem duties for the court.
 11 Nonattorney volunteer advocates shall not provide legal representation. The court shall have the
 12 authority to examine the general and criminal background of persons designated as volunteer
 13 advocates, including utilization of the family care safety registry and access line pursuant to sections
 14 210.900 to 210.937, to ensure the safety and welfare of the children such persons are designated to
 15 represent. The volunteer advocate shall be provided with all reports relevant to the case made to or
 16 by any agency or person, shall have access to all records of such agencies or persons relating to the
 17 child or such child's family members or placements of the child, and upon designation by the court
 18 to a case, shall be informed of and have the right to attend any and all family support team meetings
 19 involving the child. Any such designated person shall receive no compensation from public funds.
 20 This shall not preclude reimbursement for reasonable expenses.

21 7. Any person appointed to perform guardian ad litem duties shall have completed a training
 22 program in permanency planning and shall advocate for timely court hearings whenever possible to
 23 attain permanency for a child as expeditiously as possible to reduce the effects that prolonged foster
 24 care may have on a child. A nonattorney volunteer advocate shall have access to a court appointed
 25 attorney guardian ad litem should the circumstances of the particular case so require."; and
 26

27 Further amend said bill and page, Section 210.652, Line 4, by inserting after said section and line
 28 the following:
 29

30 "211.444. The juvenile court may, upon petition of a guardian ad litem, the juvenile officer
 31 or a child-placing agency licensed under sections 210.481 to 210.536 in conjunction with a
 32 placement with such agency under subsection 6 of section 453.010 or a private attorney filing a
 33 petition for adoption under the provisions of chapter 453, terminate the rights of a parent or receive
 34 the consent to a specific adoption or waiver of consent to adoption executed by a parent or named
 35 father to a child, including a child who is a ward of the court, if the court finds that such termination,
 36 consent to a specific adoption, or waiver of consent to adoption is in the best interests of the child,
 37 and the parent or named father has, in a properly executed writing under section 453.030 or 453.050,
 38 consented to the termination of his or her parental rights, consented to a specific adoption, or waived
 39 consent to adoption.

40 211.447. 1. Any information that could justify the filing of a petition to terminate parental
 41 rights may be referred to the juvenile officer by any person. The juvenile officer shall make a
 42 preliminary inquiry and if it appears that the information could justify the filing of a petition, the
 43 juvenile officer may take further action, including filing a petition. If it does not appear to the
 44 juvenile officer that a petition should be filed, such officer shall so notify the informant in writing
 45 within thirty days of the referral. Such notification shall include the reasons that the petition will
 46 not be filed.

47 2. [~~Except as provided for in subsection 4 of this section,~~] A petition to terminate the
 48 parental rights of the child's parent or parents shall be filed by the juvenile officer or the division, or
 49 if such a petition has been filed by another party, the juvenile officer or the division shall seek to be

1 joined as a party to the petition, when:

2 (1) Information available to the juvenile officer or the division establishes that the child has
3 been in foster care for at least fifteen of the most recent twenty-two months; or

4 (2) A court of competent jurisdiction has determined the child to be an abandoned [~~infant~~]
5 young child. For purposes of this subdivision, [~~an "infant"~~] a "young child" means any child [~~one~~
6 year] three years of age or under at the time of filing of the petition. The court may find that [~~an~~
7 infant] a young child has been abandoned if:

8 (a) The parent has left the child under circumstances that the identity of the child was
9 unknown and could not be ascertained, despite diligent searching, and the parent has not come
10 forward to claim the child; or

11 (b) The parent has, without good cause, left the child without any provision for parental
12 support and without making arrangements to visit or communicate with the child, although able to
13 do so for a period of sixty days immediately prior to the filing of the petition for termination of
14 parental rights; or

15 (c) The parent has voluntarily relinquished [~~a~~] the child under section 210.950; or

16 (3) A court of competent jurisdiction has determined that the parent has:

17 (a) Committed murder of another child of the parent; or

18 (b) Committed voluntary manslaughter of another child of the parent; or

19 (c) Aided or abetted, attempted, conspired or solicited to commit such a murder or voluntary
20 manslaughter; or

21 (d) Committed a felony assault that resulted in serious bodily injury to the child or to
22 another child of the parent; or

23 (4) The parent has been found guilty of or pled guilty to [~~a felony violation of chapter 566~~
24 ~~or 573 when the child or any child in the family was a victim, or a violation of section 568.020 or~~
25 ~~568.065 when the child or any child in the family was a victim~~] an offense under section 565.020,
26 565.021, 565.023, 565.024, 565.050, 567.050, 568.030, 568.045, 568.060, 568.065, 568.175,
27 573.023, 573.025, 573.035, 573.200, or 573.205 if a child was the victim or a felony offense under
28 chapter 566 if a child was the victim.

29
30 As used in this subdivision, a "child" means any person who was under eighteen years of age at the
31 time of the [~~crime and who resided with such parent or was related within the third degree of~~
32 ~~consanguinity or affinity to such parent~~] offense.

33 3. A termination of parental rights petition shall be filed by the juvenile officer or the
34 division, or if such a petition has been filed by another party, the juvenile officer or the division shall
35 seek to be joined as a party to the petition, within sixty days of the judicial determinations required
36 in subsection 2 of this section [~~, except as provided in subsection 4 of this section~~]. Failure to
37 comply with this requirement shall not deprive the court of jurisdiction to adjudicate a petition for
38 termination of parental rights which is filed outside of sixty days.

39 4. If grounds exist for termination of parental rights pursuant to subsection 2 of this section,
40 the guardian ad litem, the juvenile officer, or the division may, but is not required to, file a petition
41 to terminate the parental rights of the child's parent or parents if:

42 (1) The child is being cared for by a relative; or

43 (2) There exists a compelling reason for determining that filing such a petition would not be
44 in the best interest of the child, as documented in the permanency plan which shall be made
45 available for court review; or

46 (3) The family of the child has not been provided such services as provided for in section
47 211.183.

48 5. The juvenile officer, [~~or~~] the division, or the guardian ad litem may file a petition to
49 terminate the parental rights of the child's parent when it appears that one or more of the following

1 grounds for termination exist:

2 (1) The child has been abandoned. For purposes of this subdivision a "child" means any
3 child over ~~[one year]~~ three years of age at the time of filing of the petition. The court shall find that
4 the child has been abandoned if, for a period of six months or longer:

5 (a) The parent has left the child under such circumstances that the identity of the child was
6 unknown and could not be ascertained, despite diligent searching, and the parent has not come
7 forward to claim the child; or

8 (b) The parent has, ~~[without good cause, left the child without any provision for parental~~
9 ~~support and without making arrangements to visit or communicate with the child, although able to~~
10 ~~do so]~~ for a period of six months immediately prior to the filing of the petition for termination of
11 parental rights, willfully, substantially, and continuously neglected to provide the child with
12 necessary care and protection;

13 (2) The child has been abused or neglected. In determining whether to terminate parental
14 rights pursuant to this subdivision, the court shall consider and make findings on the following
15 conditions or acts of the parent:

16 (a) A mental condition which is shown by competent evidence either to be permanent or
17 such that there is no reasonable likelihood that the condition can be reversed and which renders the
18 parent unable to knowingly provide the child the necessary care, custody and control;

19 (b) Chemical dependency which prevents the parent from consistently providing the
20 necessary care, custody and control of the child and which cannot be treated so as to enable the
21 parent to consistently provide such care, custody and control;

22 (c) A severe act or recurrent acts of physical, emotional or sexual abuse toward the child or
23 any child in the family by the parent, including an act of incest, or by another under circumstances
24 that indicate that the parent knew or should have known that such acts were being committed toward
25 the child or any child in the family; or

26 (d) Repeated or continuous failure by the parent, although physically or financially able, to
27 provide the child with adequate food, clothing, shelter, or education as defined by law, or other care
28 and control necessary for the child's physical, mental, or emotional health and development.

29
30 Nothing in this subdivision shall be construed to permit discrimination on the basis of disability or
31 disease;

32 (3) The child has been under the jurisdiction of the juvenile court for a period of one year,
33 and the court finds that the conditions which led to the assumption of jurisdiction still persist, or
34 conditions of a potentially harmful nature continue to exist, that there is little likelihood that those
35 conditions will be remedied at an early date so that the child can be returned to the parent in the near
36 future, or the continuation of the parent-child relationship greatly diminishes the child's prospects
37 for early integration into a stable and permanent home. In determining whether to terminate
38 parental rights under this subdivision, the court shall consider and make findings on the following:

39 (a) The terms of a social service plan entered into by the parent and the division and the
40 extent to which the parties have made progress in complying with those terms;

41 (b) The success or failure of the efforts of the juvenile officer, the division or other agency
42 to aid the parent on a continuing basis in adjusting his circumstances or conduct to provide a proper
43 home for the child;

44 (c) A mental condition which is shown by competent evidence either to be permanent or
45 such that there is no reasonable likelihood that the condition can be reversed and which renders the
46 parent unable to knowingly provide the child the necessary care, custody and control;

47 (d) Chemical dependency which prevents the parent from consistently providing the
48 necessary care, custody and control over the child and which cannot be treated so as to enable the
49 parent to consistently provide such care, custody and control; or

1 (4) The child was conceived and born as a result of an act of [~~foreible~~] rape [~~or rape in the~~
2 ~~first degree. When the biological father has pled guilty to, or is convicted of, the forcible rape or~~
3 ~~rape in the first degree of the birth mother, such a plea or conviction shall be conclusive evidence~~
4 ~~supporting the termination of the biological father's parental rights]; or~~

5 (5) (a) The parent is unfit to be a party to the parent and child relationship because of a
6 consistent pattern of committing a specific abuse including, but not limited to, specific conditions
7 directly relating to the parent and child relationship which are determined by the court to be of a
8 duration or nature that renders the parent unable for the reasonably foreseeable future to care
9 appropriately for the ongoing physical, mental, or emotional needs of the child.

10 (b) It is presumed that a parent is unfit to be a party to the parent and child relationship upon
11 a showing that:

12 a. Within a three-year period immediately prior to the termination adjudication, the parent's
13 parental rights to one or more other children were involuntarily terminated pursuant to subsection 2
14 or 4 of this section or subdivision (1), (2), or (3) of this subsection or similar laws of other states;

15 b. If the parent is the birth mother and within eight hours after the child's birth, the child's
16 birth mother tested positive and over eight-hundredths of one percent blood alcohol content pursuant
17 to testing under section 577.020 for alcohol, or tested positive for cocaine, heroin,
18 methamphetamine, a controlled substance as defined in section 195.010, or a prescription drug as
19 defined in section 196.973, excepting those controlled substances or prescription drugs present in
20 the mother's body as a result of medical treatment administered to the mother, and the birth mother
21 is the biological mother of at least one other child who was adjudicated an abused or neglected
22 minor by the mother or the mother has previously failed to complete recommended treatment
23 services by the children's division through a family-centered services case;

24 c. If the parent is the birth mother and at the time of the child's birth or within eight hours
25 after a child's birth the child tested positive for alcohol, cocaine, heroin, methamphetamine, a
26 controlled substance as defined in section 195.010, or a prescription drug as defined in section
27 196.973, excepting those controlled substances or prescription drugs present in the mother's body as
28 a result of medical treatment administered to the mother, and the birth mother is the biological
29 mother of at least one other child who was adjudicated an abused or neglected minor by the mother
30 or the mother has previously failed to complete recommended treatment services by the children's
31 division through a family-centered services case; [~~or~~]

32 d. Within a three-year period immediately prior to the termination adjudication, the parent
33 has pled guilty to or has been convicted of a felony involving the possession, distribution, or
34 manufacture of cocaine, heroin, or methamphetamine, and the parent is the biological parent of at
35 least one other child who was adjudicated an abused or neglected minor by such parent or such
36 parent has previously failed to complete recommended treatment services by the children's division
37 through a family-centered services case; or

38 e. For at least fifteen of the twenty-two months prior to the filing of the petition, the child
39 has been in an out-of-home placement.

40 6. The juvenile court may terminate the rights of a parent to a child upon a petition filed by
41 the guardian ad litem, juvenile officer, or the division, or in adoption cases, by a prospective parent,
42 if the court finds that the termination is in the best interest of the child and when it appears by clear,
43 cogent and convincing evidence that grounds exist for termination pursuant to subsection 2, 4 or 5
44 of this section.

45 7. When considering whether to terminate the parent-child relationship pursuant to
46 subsection 2 or 4 of this section or subdivision (1), (2), or (3) of subsection 5 of this section, the
47 court shall evaluate and make findings on the following factors, when appropriate and applicable to
48 the case:

49 (1) The emotional ties to the birth parent;

1 (2) The extent to which the parent has maintained regular visitation or other contact with the
2 child;

3 (3) The extent of payment by the parent for the cost of care and maintenance of the child
4 when financially able to do so including the time that the child is in the custody of the division or
5 other child-placing agency;

6 (4) Whether additional services would be likely to bring about lasting parental adjustment
7 enabling a return of the child to the parent within an ascertainable period of time;

8 (5) The parent's disinterest in or lack of commitment to the child;

9 (6) The conviction of the parent of a felony offense that the court finds is of such a nature
10 that the child will be deprived of a stable home for a period of years; provided, however, that
11 incarceration in and of itself shall not be grounds for termination of parental rights;

12 (7) Deliberate acts of the parent or acts of another of which the parent knew or should have
13 known that subjects the child to a substantial risk of physical or mental harm.

14 8. The court may attach little or no weight to infrequent visitations, communications, or
15 contributions. It is irrelevant in a termination proceeding that the maintenance of the parent-child
16 relationship may serve as an inducement for the parent's rehabilitation.

17 9. In actions for adoption pursuant to chapter 453, the court may hear and determine the
18 issues raised in a petition for adoption containing a prayer for termination of parental rights filed
19 with the same effect as a petition permitted pursuant to subsection 2, 4, or 5 of this section.

20 10. The disability or disease of a parent shall not constitute a basis for a determination that a
21 child is a child in need of care, for the removal of custody of a child from the parent, or for the
22 termination of parental rights without a specific showing that there is a causal relation between the
23 disability or disease and harm to the child.

24 11. A court of competent jurisdiction may terminate the parental rights of a biological father
25 of a child if he is an alleged perpetrator of forcible rape under section 566.030 as it existed prior to
26 August 28, 2013, or rape in the first degree under section 566.030 that resulted in the conception and
27 birth of the child. The biological mother who is the victim of [~~the forcible~~] rape [~~or rape in the first~~
28 ~~degree~~] that resulted in the conception and birth of the child or, if she is a minor, someone on her
29 behalf may file a petition to terminate the parental rights of the biological father. The court may
30 terminate the parental rights of the biological father if the court finds that by:

31 (1) Clear, cogent, and convincing evidence the biological father committed the act of
32 [~~forcible~~] rape [~~or rape in the first degree~~] against the biological mother;

33 (2) Clear, cogent, and convincing evidence the child was conceived as a result of that act of
34 [~~forcible~~] rape [~~or rape in the first degree~~]; and

35 (3) The preponderance of the evidence the termination of the parental rights of the
36 biological father is in the best interests of the child.

37 12. In any action to terminate the parental rights of the biological father under subsection 11
38 of this section or subdivision (5) of subsection 5 of this section, a court of competent jurisdiction
39 may order that the mother and the child conceived and born as a result of [~~forcible~~] rape [~~or rape in~~
40 ~~the first degree~~] are entitled to obtain from the biological father certain payments, support,
41 beneficiary designations, or other financial benefits. The court shall issue such order only if the
42 mother gives her consent; provided, that the court shall first inform the mother that such order may
43 require or obligate the mother to have continuous or future communication and contact with the
44 biological father. Such order shall be issued without the biological father being entitled to or
45 granted any custody, guardianship, visitation privileges, or other parent-child relationship, and may
46 include any or all of the following:

47 (1) Payment for the reasonable expenses of the mother or the child, or both, related to
48 pregnancy, labor, delivery, postpartum care, newborn care, or early childhood care;

49 (2) Child support under this chapter or chapter 210, 452, or 454;

1 (3) All rights of the child to inherit under the probate code, as defined in section 472.010;
 2 provided that, for purposes of intestate succession, the biological father or his kindred shall have no
 3 right to inherit from or through the child;

4 (4) The designation of the child as the beneficiary of a life or accidental death insurance
 5 policy, annuity, contract, plan, or other product sold or issued by a life insurance company; or

6 (5) Any other payments, support, beneficiary designations, or financial benefits that are in
 7 the best interests of the child or for the reasonable expenses of the mother, or both.

8
 9 If the mother declines to seek a court order for child support under this subsection, no state agency
 10 shall require the mother to do so in order to receive public assistance benefits for herself or the
 11 child, including, but not limited to, benefits for temporary assistance for needy families,
 12 supplemental nutrition assistance program, or MO HealthNet. The court order terminating the
 13 parental rights of the biological father under subdivision (5) of subsection 5 of this section or
 14 subsection 11 of this section shall serve as a sufficient basis for a good cause or other exemptions
 15 under 42 U.S.C. Section 654(29) and the state agency shall not require the mother or the child to
 16 otherwise provide the identity, location, income, or assets of the biological father or have contact or
 17 communicate with the biological father. However, nothing in this subsection shall prohibit a state
 18 agency from requesting that the mother assign any child support rights she receives under this
 19 subsection to the state as a condition of receipt of public assistance benefits under applicable federal
 20 and state law.

21 453.030. 1. In all cases the approval of the court of the adoption shall be required and such
 22 approval shall be given or withheld as the welfare of the person sought to be adopted may, in the
 23 opinion of the court, demand.

24 2. The written consent of the person to be adopted shall be required in all cases where the
 25 person sought to be adopted is fourteen years of age or older, except where the court finds that such
 26 child has not sufficient mental capacity to give the same. In a case involving a child under fourteen
 27 years of age, the guardian ad litem shall ascertain the child's wishes and feelings about his or her
 28 adoption by conducting an interview or interviews with the child, if appropriate based on the child's
 29 age and maturity level, which shall be considered by the court as a factor in determining if the
 30 adoption is in the child's best interests.

31 3. With the exceptions specifically enumerated in section 453.040, when the person sought
 32 to be adopted is under the age of eighteen years, the written consent of the following persons shall
 33 be required and filed in and made a part of the files and record of the proceeding:

34 (1) The mother of the child;

35 (2) Any man who:

36 (a) Is presumed to be the father pursuant to subdivision (1), (2), or (3) of subsection 1 of
 37 section 210.822; or

38 (b) Has filed an action to establish his paternity in a court of competent jurisdiction no later
 39 than fifteen days after the birth of the child and has served a copy of the petition on the mother in
 40 accordance with section 506.100; or

41 (c) Filed with the putative father registry pursuant to section 192.016 a notice of intent to
 42 claim paternity or an acknowledgment of paternity either prior to or within fifteen days after the
 43 child's birth, and has filed an action to establish his paternity in a court of competent jurisdiction no
 44 later than fifteen days after the birth of the child; and

45 (3) The child's current adoptive parents or other legally recognized mother and father.

46
 47 Upon request by the petitioner and within one business day of such request, the clerk of the local
 48 court shall verify whether such written consents have been filed with the court.

49 4. The written consent required in subdivisions (2) and (3) of subsection 3 of this section

1 may be executed before or after the birth of the child or before or after the commencement of the
2 adoption proceedings, and shall be executed in front of a judge or acknowledged before a notary
3 public. If consent is executed in front of a judge, it shall be the duty of the judge to advise the
4 consenting birth parent of the consequences of the consent. In lieu of such acknowledgment, the
5 signature of the person giving such written consent shall be witnessed by the signatures of at least
6 two adult persons whose signatures and addresses shall be plainly written thereon. The two adult
7 witnesses shall not be the prospective adoptive parents or any attorney representing a party to the
8 adoption proceeding other than the attorney representing the party signing the consent. The notary
9 public or witnesses shall verify the identity of the party signing the consent. Notwithstanding any
10 other provision of law to the contrary, a properly executed written consent under this subsection
11 shall be considered irrevocable.

12 5. The written consent required in subdivision (1) of subsection 3 of this section by the birth
13 mother shall not be executed anytime before the child is forty-eight hours old. Such written consent
14 shall be executed in front of a judge or acknowledged before a notary public. If consent is executed
15 in front of a judge, it shall be the duty of the judge to advise the consenting party of the
16 consequences of the consent. In lieu of acknowledgment before a notary public, the signature of the
17 person giving such written consent shall be witnessed by the signatures of at least two adult persons
18 who are present at the execution whose signatures and addresses shall be plainly written thereon and
19 who determine and certify that the consent is knowingly and freely given. The two adult witnesses
20 shall not be the prospective adoptive parents or any attorney representing a party to the adoption
21 proceeding other than the attorney representing the party signing the consent. The notary public or
22 witnesses shall verify the identity of the party signing the consent.

23 6. A consent is final when executed, unless the consenting party, prior to a final decree of
24 adoption, alleges and proves by clear and convincing evidence that the consent was not freely and
25 voluntarily given. The burden of proving the consent was not freely and voluntarily given shall rest
26 with the consenting party. Consents in all cases shall have been executed not more than six months
27 prior to the date the petition for adoption is filed.

28 7. A consent form shall be developed through rules and regulations promulgated by the
29 department of social services. No rule or portion of a rule promulgated under the authority of this
30 section shall become effective unless it has been promulgated pursuant to the provisions of chapter
31 536. If a written consent is obtained after August 28, 1997, but prior to the development of a
32 consent form by the department and the written consent complies with the provisions of subsection
33 8 of this section, such written consent shall be deemed valid.

34 8. However, the consent form must specify that:

35 (1) The birth parent understands the importance of identifying all possible fathers of the
36 child and may provide the names of all such persons; and

37 (2) The birth parent understands that if he denies paternity, but consents to the adoption, he
38 waives any future interest in the child.

39 9. The written consent to adoption required by subsection 3 and executed through
40 procedures set forth in subsection 5 of this section shall be valid and effective even though the
41 parent consenting was under eighteen years of age, if such parent was represented by a guardian ad
42 litem, at the time of the execution thereof.

43 10. Where the person sought to be adopted is eighteen years of age or older, his or her
44 written consent alone to his or her adoption shall be sufficient.

45 11. A birth parent, including a birth parent less than eighteen years of age, shall have the
46 right to legal representation and payment of any reasonable legal fees incurred throughout the
47 adoption process. In addition, the court may appoint an attorney to represent a birth parent if:

48 (1) The court determines that a birth parent is in need of representation by counsel or a birth
49 parent requests such representation;

1 (2) The court finds that hiring an attorney to represent such birth parent would cause a
2 financial hardship for the birth parent; and

3 (3) The birth parent is not already represented by counsel.

4 12. ~~[Except in cases where the court determines that the adoptive parents are unable to pay~~
5 ~~reasonable attorney fees and appoints pro bono counsel for the birth parents, the court shall order the~~
6 ~~costs of the attorney fees incurred pursuant to subsection 11 of this section to be paid by the~~
7 ~~prospective adoptive parents or the child-placing agency.~~

8 ~~————13.]~~ The court shall receive and acknowledge a written consent to adoption properly
9 executed by a birth parent under this section when such consent is in the best interests of the child.

10 453.040. The consent to the adoption of a child is not required of:

11 (1) A parent whose rights with reference to the child have been terminated pursuant to law,
12 including section 211.444 or section 211.447 or other similar laws in other states;

13 (2) A parent of a child who has legally consented to a future adoption of the child;

14 (3) A parent whose identity is unknown and cannot be ascertained at the time of the filing of
15 the petition;

16 (4) A man who has not been established to be the father and who is not presumed by law to
17 be the father, and who, after the conception of the child, executes a verified statement denying
18 paternity and disclaiming any interest in the child and acknowledging that this statement is
19 irrevocable when executed and follows the consent as set forth in section 453.030;

20 (5) A parent or other person who has not executed a consent and who, after proper service
21 of process, fails to file an answer or make an appearance in a proceeding for adoption or for
22 termination of parental rights at the time such cause is heard;

23 (6) A parent who has a mental condition which is shown by competent evidence either to be
24 permanent or such that there is no reasonable likelihood that the condition can be reversed and
25 which renders the parent unable to knowingly provide the child the necessary care, custody and
26 control;

27 (7) A parent who has for a period of at least six months, for a child ~~[one year]~~ three years of
28 age or older, or at least sixty days, for a child under ~~[one year]~~ three years of age, immediately prior
29 to the filing of the petition for adoption, ~~[willfully abandoned the child or, for a period of at least six~~
30 ~~months immediately prior to the filing of the petition for adoption,]~~ willfully, substantially, and
31 continuously neglected to provide ~~[him]~~ the child with necessary care and protection;

32 (8) A parent whose rights to the child may be terminated for any of the grounds set forth in
33 section 211.447 and whose rights have been terminated after hearing and proof of such grounds as
34 required by sections 211.442 to 211.487. Such petition for termination may be filed as a count in an
35 adoption petition.

36 453.080. 1. The court shall conduct a hearing to determine whether the adoption shall be
37 finalized. If their attorney appears in person, out-of-state adoptive petitioners may appear by video
38 conference. During such hearing, the court shall ascertain whether:

39 (1) The person sought to be adopted, if a child, has been in the lawful and actual custody of
40 the petitioner for a period of at least six months prior to entry of the adoption decree; except that the
41 six-month period may be waived if the person sought to be adopted is a child who is under the prior
42 and continuing jurisdiction of a court pursuant to chapter 211 and the person desiring to adopt the
43 child is the child's current foster parent. Lawful and actual custody shall include a transfer of
44 custody pursuant to the laws of this state, another state, a territory of the United States, or another
45 country;

46 (2) The court has received and reviewed a postplacement assessment on the monthly
47 contacts with the adoptive family pursuant to section 453.077, except for good cause shown in the
48 case of a child adopted from a foreign country;

49 (3) The court has received and reviewed an updated financial affidavit;

1 (4) The court has received the recommendations of the guardian ad litem and has received
2 and reviewed the recommendations of the person placing the child, the person making the
3 assessment and the person making the postplacement assessment;

4 (5) There is compliance with the Indian Child Welfare Act, if applicable;

5 (6) There is compliance with the Interstate Compact on the Placement of Children pursuant
6 to section 210.620; and

7 (7) It is fit and proper that such adoption should be made and that the adoption is in the best
8 interests of the child.

9 2. If a petition for adoption has been filed pursuant to section 453.010 and a transfer of
10 custody has occurred pursuant to section 453.110, the court may authorize the filing for finalization
11 in another state if the adoptive parents are domiciled in that state.

12 3. If the court determines the adoption should be finalized, a decree shall be issued setting
13 forth the facts and ordering that from the date of the decree the adoptee shall be for all legal intents
14 and purposes the child of the petitioner or petitioners. The court may decree that the name of the
15 person sought to be adopted be changed, according to the prayer of the petition.

16 4. Before the completion of an adoption, the exchange of information among the parties
17 shall be at the discretion of the parties. Prospective adoptive parents and birth parents may enter
18 into a written post adoption contact agreement to allow contact, communication, and the exchange
19 of photographs after the adoption between the adoptive parents and the birth parents. The court
20 shall not order any party to enter into a post adoption contact agreement. The agreement shall be
21 filed with and approved by the court at or before the finalization of the adoption. The court shall
22 approve an agreement only if the agreement is in the best interests of the child. The court may
23 enforce or modify an agreement made under this subsection unless such enforcement or
24 modification is not in the best interests of the child. The agreement shall include:

25 (1) An acknowledgment by the birth parents that the adoption is irrevocable, even if the
26 adoptive parents do not abide by the post adoption contact agreement;

27 (2) An acknowledgment by the adoptive parents that the agreement grants the birth parents
28 the right to seek to enforce the provisions of the post adoption contact agreement. Remedies for a
29 breach of the agreement shall include specific performance of the terms of the agreement; provided,
30 that nothing in the agreement shall preclude a party seeking to enforce the agreement from utilizing
31 child welfare mediation before, or in addition to, the commencement of a civil action for specific
32 enforcement;

33 (3) An acknowledgment that the post adoption contact agreement shall be filed with and
34 approved by the court in order to be enforceable; and

35 (4) An acknowledgment that the birth parents' consent to the adoption was not conditioned
36 on the post adoption contact agreement and that acceptance of the agreement is fully voluntary.

37
38 Upon completion of an adoption, further contact among the parties shall be at the discretion of the
39 adoptive parents or in accordance with a post adoption contact agreement executed under this
40 subsection. The court shall not have jurisdiction to deny an exchange of identifying information
41 between an adoptive parent and a birth parent.

42 5. Before the completion of an adoption, the court shall make available to the birth parent or
43 parents a contact preference form developed by the state registrar pursuant to section 193.128 and
44 provided to the court by the department of health and senior services. If a birth parent chooses to
45 complete the form, the clerk of the court shall send the form with the certificate of decree of
46 adoption to the state registrar. Such form shall accompany the original birth certificate of the
47 adopted person and may be updated by a birth parent at any time upon the request of the birth
48 parent.

49 453.121. 1. As used in this section, unless the context clearly indicates otherwise, the

1 following terms mean:

- 2 (1) "Adopted adult", any adopted person who is eighteen years of age or over;
 3 (2) "Adopted child", any adopted person who is less than eighteen years of age;
 4 (3) "Adult sibling", any brother or sister of the whole or half blood who is eighteen years of
 5 age or over;
 6 (4) "Biological parent", the natural and biological mother or father of the adopted child;
 7 (5) "Identifying information", individually identifying information [which includes the
 8 name, date of birth, place of birth and last known address of the biological parent] for or about a
 9 unique individual, including information likely to disclose the contact information, location, or
 10 identity of such individual;
 11 (6) "Lineal descendant", ~~[a legal descendant of a person]~~ as defined in section 472.010;
 12 (7) "Nonidentifying information", information ~~[concerning the physical description,~~
 13 ~~nationality, religious background and medical history of the biological parent or sibling]~~ that is not
 14 identifying information.

15 2. All papers, records, and information pertaining to an adoption whether part of any
 16 permanent record or file may be disclosed only in accordance with this section.

17 3. Nonidentifying information, if known, concerning undisclosed biological parents or
 18 siblings shall be furnished by the child-placing agency or the juvenile court to the adoptive parents,
 19 legal guardians, adopted adult or the adopted adult's lineal descendants if the adopted adult is
 20 deceased, upon written request therefor.

21 4. An adopted adult, or the adopted adult's lineal descendants if the adopted adult is
 22 deceased, may make a written request to the circuit court having original jurisdiction of such
 23 adoption to secure and disclose information identifying the adopted adult's biological parents. If the
 24 biological parents have consented to the release of identifying information under subsection 8 of this
 25 section, the court shall disclose such identifying information to the adopted adult or the adopted
 26 adult's lineal descendants if the adopted adult is deceased. If the biological parents have not
 27 consented to the release of identifying information under subsection 8 of this section, the court shall,
 28 within ten days of receipt of the request, notify in writing the child-placing agency or juvenile court
 29 personnel having access to the information requested of the request by the adopted adult or the
 30 adopted adult's lineal descendants.

31 5. Within three months after receiving notice of the request of the adopted adult, or the
 32 adopted adult's lineal descendants, the child-placing agency or the juvenile court personnel shall
 33 make reasonable efforts to notify the biological parents of the request of the adopted adult or the
 34 adopted adult's lineal descendants. The child-placing agency or juvenile court personnel may
 35 charge actual costs to the adopted adult or the adopted adult's lineal descendants for the cost of
 36 making such search. All communications under this subsection are confidential. For purposes of
 37 this subsection, "notify" means a personal and confidential contact with the biological parent of the
 38 adopted adult, which initial contact shall be made by an employee of the child-placing agency which
 39 processed the adoption, juvenile court personnel or some other licensed child-placing agency
 40 designated by the child-placing agency or juvenile court. Nothing in this section shall be construed
 41 to permit the disclosure of communications privileged pursuant to section 491.060. At the end of
 42 three months, the child-placing agency or juvenile court personnel shall file a report with the court
 43 stating that each biological parent that was located was given the following information:

- 44 (1) The nature of the identifying information to which the agency has access;
 45 (2) The nature of any nonidentifying information requested;
 46 (3) The date of the request of the adopted adult or the adopted adult's lineal descendants;
 47 (4) The right of the biological parent to file an affidavit with the court stating that the
 48 identifying information should be disclosed;
 49 (5) The effect of a failure of the biological parent to file an affidavit stating that the

1 identifying information should be disclosed.

2 6. If the child-placing agency or juvenile court personnel reports to the court that it has been
3 unable to notify the biological parent within three months, the identifying information shall not be
4 disclosed to the adopted adult or the adopted adult's lineal descendants. Additional requests for the
5 same or substantially the same information may not be made to the court within one year from the
6 end of the three-month period during which the attempted notification was made, unless good cause
7 is shown and leave of court is granted.

8 7. If, within three months, the child-placing agency or juvenile court personnel reports to the
9 court that it has notified the biological parent pursuant to subsection 5 of this section, the court shall
10 receive the identifying information from the child-placing agency. If an affidavit duly executed by a
11 biological parent authorizing the release of information is filed with the court or if a biological
12 parent is found to be deceased, the court shall disclose the identifying information as to that
13 biological parent to the adopted adult or the adopted adult's lineal descendants if the adopted adult is
14 deceased, provided that the other biological parent either:

- 15 (1) Is unknown;
- 16 (2) Is known but cannot be found and notified pursuant to subsection 5 of this section;
- 17 (3) Is deceased; or
- 18 (4) Has filed with the court an affidavit authorizing release of identifying information.

19
20 If the biological parent fails or refuses to file an affidavit with the court authorizing the release of
21 identifying information, then the identifying information shall not be released to the adopted adult.
22 No additional request for the same or substantially the same information may be made within three
23 years of the time the biological parent fails or refuses to file an affidavit authorizing the release of
24 identifying information.

25 8. Notwithstanding any provision of law, all information, including identifying information,
26 shall be released to an adopted adult if the adopted adult's biological parent lost his or her parental
27 rights through a nonconsensual termination of parental rights proceeding.

28 9. Any adopted adult whose adoption was finalized in this state or whose biological parents
29 had their parental rights terminated in this state may request the court to secure and disclose
30 identifying information concerning an adult sibling. Identifying information pertaining exclusively
31 to the adult sibling, whether part of the permanent record of a file in the court or in an agency, shall
32 be released only upon consent of that adult sibling.

33 ~~[9.]~~ 10. The central office of the children's division within the department of social services
34 shall maintain a registry by which biological parents, adult siblings, and adoptive adults may
35 indicate their desire to be contacted by each other. The division may request such identification for
36 the registry as a party may possess to assure positive identifications. At the time of registry, a
37 biological parent or adult sibling may consent in writing to the release of identifying information to
38 an adopted adult. If such a consent has not been executed and the division believes that a match has
39 occurred on the registry between biological parents or adult siblings and an adopted adult, an
40 employee of the division shall make the confidential contact provided in subsection 5 of this section
41 with the biological parents or adult siblings and with the adopted adult. If the division believes that
42 a match has occurred on the registry between one biological parent or adult sibling and an adopted
43 adult, an employee of the division shall make the confidential contact provided by subsection 5 of
44 this section with the biological parent or adult sibling. The division shall then attempt to make such
45 confidential contact with the other biological parent, and shall proceed thereafter to make such
46 confidential contact with the adopted adult only if the division determines that the other biological
47 parent meets one of the conditions specified in subsection 7 of this section. The biological parent,
48 adult sibling, or adopted adult may refuse to go forward with any further contact between the parties
49 when contacted by the division.

1 ~~[40.]~~ 11. The provisions of this section, except as provided in subsection 5 of this section
2 governing the release of identifying and nonidentifying adoptive information apply to adoptions
3 completed before and after August 13, 1986.

4 ~~[41.]~~ 12. All papers, records, and information known to or in the possession of an adoptive
5 parent or adoptive child that pertain to an adoption, regardless of whether part of any permanent
6 record or file, may be disclosed by the adoptive parent or adoptive child. The provisions of this
7 subsection shall not be construed to create a right to have access to information not otherwise
8 allowed under this section.

9 453.350. 1. Beginning July 1, 2014, all Missouri foster children fifteen years of age or older
10 shall receive a visit to a Missouri state university or a Missouri state community or technical college
11 in the foster child's area or an armed services recruiter before the foster child may be adopted or
12 otherwise terminated by foster care unless waived by the family support team. Such visit shall be in
13 addition to any other services that older youth are usually provided and shall include the entry
14 application process, financial support application and availability, career options with academic or
15 technical training, a tour of the school, and other information and experience desired.

16 2. Beginning July 1, 2014, all youth fifteen years of age or older in the division of youth
17 services program shall receive a visit to a Missouri state university or a Missouri state community or
18 technical college in the youth's area or an armed services recruiter before the youth's custody or
19 training is completed unless waived by the family support team. Such visit shall be in addition to
20 any other services that older youth are usually provided and shall include the entry application
21 process, financial support application and availability, career options with academic or technical
22 training, a tour of the school, and other information and experience desired.

23 3. Agencies ~~[defined]~~ described in subsection ~~[2]~~ 5 of section 210.112 that are providing
24 foster care case management services for foster children can document and, if requested, shall
25 receive from the Missouri department of social services reimbursement for costs associated with
26 meeting the requirements of this section."; and

27
28 Further amend said bill by amending the title, enacting clause, and intersectional references
29 accordingly.