S T A T E O F N E W Y O R K

2308

2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

Introduced by M. of A. V. LOPEZ -- read once and referred to the Committee on Children and Families

AN ACT to amend the social services law, in relation to enforcement of agreements for visitation after adoption

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 383-c of the social services law is amended by adding a new subdivision 11 to read as follows:

11. ENFORCEMENT. A PERSON WHO HAS EXECUTED A JUDICIAL OR EXTRA-JUDICIAL SURRENDER PURSUANT TO THIS SECTION WHICH HAS RESERVED TO SUCH PERSON ANY RIGHT TO VISIT WITH, SPEAK WITH, WRITE TO OR LEARN ABOUT THE CHILD MAY PETITION THE FAMILY COURT FOR AN ORDER DIRECTING THE AUTHORIZED AGENCY TO WHICH THE CHILD WAS SURRENDERED, IF THE CHILD HAS NOT YET BEEN ADOPTED, OR DIRECTING THE ADOPTIVE PARENTS, IF THE CHILD HAS BEEN ADOPTED, TO COMPLY WITH SUCH RIGHTS AS WERE RESERVED IN THE SURRENDER. THE FAILURE OF THE ADOPTIVE PARENTS TO COMPLY WITH THE TERMS OF THE SURRENDER SHALL NOT, EXCEPT AS PROVIDED IN PARAGRAPH (D) OF SUBDIVISION SIX OF THIS SECTION, BE GROUNDS FOR THE ABROGATION OF THE SURRENDER.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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