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

5652--B

2009-2010 Regular Sessions

I N A S S E M B L Y

February 17, 2009

Introduced by M. of A. ROSENTHAL, DINOWITZ, GLICK, HOYT, JAFFEE, LAVINE, O'DONNELL, PAULIN, D. WEPRIN -- Multi-Sponsored by -- M. of A. BING, BOYLAND, BRENNAN, CAHILL, GOTTFRIED, JOHN, KELLNER, MAISEL, PHEFFER, N. RIVERA, SCHIMEL, TITONE, WEISENBERG -- read once and referred to the Committee on Judiciary -- recommitted to the Committee on Judiciary in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the domestic relations law, in relation to authorizing two unmarried adult intimate partners to adopt a child

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

Section 1. The first undesignated paragraph of section 110 of the domestic relations law, as amended by chapter 254 of the laws of 1991, is amended to read as follows:

An adult unmarried person [or], an adult [husband and his adult wife] MARRIED COUPLE together, OR ANY TWO UNMARRIED ADULT INTIMATE PARTNERS TOGETHER may adopt another person. An adult married person who is living separate and apart from his or her spouse pursuant to a decree or judgment of separation or pursuant to a written agreement of separation subscribed by the parties thereto and acknowledged or proved in the form required to entitle a deed to be recorded or an adult married person who has been living separate and apart from his or her spouse for at least three years prior to commencing an adoption proceeding may adopt another person; provided, however, that the person so adopted shall not be deemed the child or step-child of the non-adopting spouse for the purposes of inheritance or support rights or obligations or for any other purposes. An adult or minor [husband and his adult or minor wife] MARRIED COUPLE together may adopt a child of either of them born in or out of wedlock and an adult or minor [husband or an adult or minor wife]

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

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SPOUSE may adopt such a child of the other spouse. No person shall hereafter be adopted except in pursuance of this article, and in conformity with section three hundred seventy-three of the social services law.

S 2. This act shall take effect immediately.