

10181

I N A S S E M B L Y

August 20, 2014

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Clark) --
read once and referred to the Committee on Judiciary

AN ACT to amend the domestic relations law, in relation to the private
permanent transfer of physical custody of or the delegation of power
over adopted children

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

1 Section 1. Section 2 of the domestic relations law, as amended by
2 chapter 920 of the laws of 1974, is amended to read as follows:
3 S 2. Definitions. 1. A "minor" or "infant", as used in this chapter,
4 is a person under the age of eighteen years.
5 2. A "RELATIVE", AS USED IN THIS CHAPTER, SHALL MEAN A PARENT, STEP-
6 PARENT, BROTHER, SISTER, STEPBROTHER, STEPSISTER, HALF-BROTHER,
7 HALF-SISTER, BROTHER-IN-LAW, SISTER-IN-LAW, FIRST COUSIN, SECOND COUSIN,
8 NEPHEW, NIECE, UNCLE, AUNT, STEP UNCLE, STEP AUNT, OR ANY PERSON OF A
9 PRECEDING GENERATION AS DENOTED BY THE PREFIX OF GRAND, GREAT, OR
10 GREAT-GREAT, WHETHER BY BLOOD, MARRIAGE, OR LEGAL ADOPTION, OR THE
11 SPOUSE OF ANY PERSON NAMED IN THIS SUBDIVISION, EVEN IF THE MARRIAGE IS
12 TERMINATED BY DEATH OR DIVORCE.
13 S 2. Subdivision 1 of section 115 of the domestic relations law is
14 amended by adding a new paragraph (d) to read as follows:
15 (D) NO PERSON SHALL ADVERTISE BY ANY PUBLIC MEDIUM THAT ORIGINATES
16 WITHIN THIS STATE, INCLUDING BY NEWSPAPER, PERIODICAL, TELEPHONE BOOK
17 LISTINGS, OUTDOOR ADVERTISING SIGN, RADIO OR TELEVISION, THAT THE PERSON
18 WILL FIND AN ADOPTIVE HOME OR ANY OTHER PERMANENT PHYSICAL PLACEMENT FOR
19 A CHILD OR ARRANGE FOR OR ASSIST IN THE ADOPTION, ADOPTIVE PLACEMENT, OR
20 ANY OTHER PERMANENT PHYSICAL PLACEMENT OF A CHILD.
21 S 3. Section 115 of the domestic relations law is amended by adding a
22 new subdivision 14 to read as follows:
23 14. ANY PERSON NOT AUTHORIZED UNDER SECTION THREE HUNDRED
24 SEVENTY-FOUR-A OF THE SOCIAL SERVICES LAW OR APPROVED BY A COURT OF
25 COMPETENT JURISDICTION, WHO SENDS AN ADOPTED CHILD OUT OF THIS STATE,
26 BRINGS AN ADOPTED CHILD INTO THIS STATE, OR CAUSES AN ADOPTED CHILD TO
27 BE SENT OUT OF THIS STATE OR BROUGHT INTO THIS STATE FOR THE PURPOSE OF

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

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1 PERMANENTLY TRANSFERRING PHYSICAL CUSTODY OR THE DELEGATION OF POWERS OF
2 SUCH ADOPTED CHILD FOR MORE THAN A YEAR TO A PERSON WHO IS NOT A RELA-
3 TIVE, AS DEFINED IN SUBDIVISION TWO OF SECTION TWO OF THE DOMESTIC
4 RELATIONS LAW, SHALL BE FOUND GUILTY OF CHILD ABANDONMENT AND CHARGED
5 WITH A CLASS E FELONY UNDER SECTION 260.00 OF THE PENAL LAW.
6 S 4. This act shall take effect immediately.