

Senate Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
Senate
Fifty-first Legislature
First Regular Session
2013

CHAPTER 115

SENATE BILL 1408

AN ACT

AMENDING SECTION 8-112, ARIZONA REVISED STATUTES; RELATING TO ADOPTION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 8-112, Arizona Revised Statutes, is amended to
3 read:

4 8-112. Social studies; requirements

5 A. The division, an agency or an officer of the court shall conduct
6 and submit a social study to the court ten days before the hearing on the
7 petition to adopt. Notwithstanding any other provisions of this section, the
8 court may order an additional social study or waive the social study if it
9 determines that this is in the child's best interests because of special
10 circumstances.

11 B. Except as provided in subsection D or E of this section, the social
12 study shall include the following:

13 1. The social history, heritage and mental and physical condition of
14 the child and the child's birth parents.

15 2. The child's current placement in the prospective adoptive parent's
16 home and the child's adjustment to that home.

17 3. The prospective adoptive parent's suitability to adopt.

18 4. The existing and proposed arrangements regarding the child's
19 custody.

20 5. Any financial arrangement concerning the proposed adoption made by
21 the birth parents, the division, an agency, an attorney or the prospective
22 adoptive parents.

23 6. A state and federal criminal records check of the prospective
24 adoptive parent and each adult who is living permanently with the prospective
25 adoptive parent except a birth or legal parent with custody of the child. A
26 VALID FINGERPRINT CLEARANCE CARD PURSUANT TO SECTION 41-1758.07 SATISFIES
27 THIS REQUIREMENT. THE COURT MAY ORDER AN ADDITIONAL STATE AND FEDERAL
28 CRIMINAL RECORDS CHECK FOR GOOD CAUSE.

29 7. A central registry records check, including any history of child
30 welfare referrals, with the division of the prospective adoptive parent and
31 each adult who is living permanently with the prospective adoptive parent.

32 8. Any other information that is pertinent to the adoption
33 proceedings.

34 C. The social study conducted pursuant to subsection A of this section
35 is part of the case file and shall contain a definite recommendation for or
36 against the proposed adoption and the reasons for that recommendation.

37 D. The social study conducted pursuant to subsection A of this section
38 shall consist only of the results of the state and federal criminal records
39 check and the central registry records check conducted pursuant to subsection
40 B of this section if either of the following is true:

41 1. The prospective adoptive parent is the child's stepparent who has
42 been legally married to the child's birth or legal parent for at least one
43 year and the child has resided with the stepparent and parent for at least
44 six months.

1 2. The prospective adoptive parent is the child's adult sibling, by
2 the whole or half blood, or the child's aunt, uncle, grandparent or
3 great-grandparent and the child has resided with the prospective adoptive
4 parent for at least six months.

5 E. If the child being considered for adoption has resided with the
6 prospective adoptive parent for at least six months and the prospective
7 adoptive parent either has adopted a child or was appointed the permanent
8 guardian of the child within three years preceding the current application,
9 or is a foster parent who is licensed by this state, the social study
10 conducted pursuant to subsection A of this section may consist only of the
11 following:

12 1. The results of the central registry records check conducted
13 pursuant to subsection B of this section.

14 2. A review of any material changes in circumstances that have
15 occurred since the previous adoption, permanent guardianship or license
16 renewal that affect the prospective adoptive parent's ability to adopt the
17 child or for the child to be placed in the prospective adoptive parent's
18 home.

APPROVED BY THE GOVERNOR APRIL 16, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 17, 2013.

Passed the House April 11, 2013,

Passed the Senate February 28, 2013,

by the following vote: 58 Ayes,

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

0 Nays, 2 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

15 day of April, 2013,

at 2:35 o'clock P M.

[Signature]
Secretary to the Governor

Approved this 16th day of

April, 2013,

at 3:26 o'clock P M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 17th day of April, 2013,

at 8:41 o'clock A M.

[Signature]
Secretary of State

S.B. 1408