

SESSION OF 2007

**CONFERENCE COMMITTEE REPORT BRIEF
HOUSE BILL NO. 2186**

As Agreed to April 4, 2008

Brief*

HB 2186 would amend the law regarding adoptions to do the following:

- Require that any person who advertises that the person will adopt, find an adoptive home for a child or otherwise place a child for adoption be licensed by the State of Kansas in such person's profession;
- Require such person's professional license number to be in the advertisement;
- Prohibit the advertising requirements from applying to an individual seeking to adopt a child;
- Make violations of the requirements be punishable as an unclassified misdemeanor with a fine of up to \$1,000 for each violation; and
- Require that the certificate created by the State Registrar of Vital Statistics for any child born in a foreign country but adopted in Kansas, or born and adopted in a foreign country, not make reference to evidence of United States citizenship.

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/klrd>

Conference Committee Action

The Conference Committee agreed to do the following:

- Adopt the House language regarding disclosure, licensure, location, and prohibitions from individuals offering adoption services;
- Insert a \$1,000 fine; and
- Include the provision of KSA 65-2423(b) which would prohibit a reference to U.S. citizenship on a birth certificate issued in a foreign-born adoption.

Background

Shawn Kane, American Adoptions; Mike Belfonte, individual; and Austin Vincent, adoption attorney, spoke on this issue in the House Committee.

The House Committee amended the bill to require disclosure on licensure and location of license by the person who advertises the person will place or arrange for placement of a child. The Committee excluded individuals seeking to adopt a child from the advertising requirement.

The proponent of the bill in the Senate Committee was Willa DeCastro, American Adoptions. The opponent of the bill was Austin Vincent, Attorney.

The Senate Committee amended the bill by deleting the requirements on the person who advertises to disclose whether the person is licensed and by what authority and what profession in which the person is licensed. The Committee reinserted the language as the bill was introduced to require the person, who advertises the person will place or arrange for placement of a child, be licensed by the State of Kansas in such person's profession and the person's professional license number be included in the advertisement.

The Senate Committee of the Whole amended the bill to require that the certificate created by the State Registrar of Vital Statistics for any child born in a foreign country but adopted in Kansas, or born and adopted in a foreign country, not make reference to evidence of United States citizenship.

The fiscal note on the original bill indicates there would be no fiscal effect.

adoptions