

Amendment No. 59

Assembly Amendment to Assembly Bill No. 255	(BDR 11-658)
<b>Proposed by:</b> Assembly Committee on Judiciary	
<b>Amends:</b> Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

DAN/AAK



Date: 4/3/2023

A.B. No. 255—Revises provisions governing adoption. (BDR 11-658)





ASSEMBLY BILL NO. 255—~~[ASSEMBLYWOMAN]~~ ASSEMBLYMEN COHEN, BILBRAY-AXELROD, HANSEN, NEWBY AND ORENTLICHER

MARCH 7, 2023

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing adoption. (BDR 11-658)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to adoption; revising provisions governing financial assistance to the adoptive family of a child with special needs; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law authorizes an agency which provides child welfare services to provide  
2 financial assistance to a family that adopts a child with special needs until the child attains  
3 majority, becomes self-sustaining, is emancipated or dies. (NRS 127.186) If such a child is  
4 still enrolled in school, this bill authorizes an agency which provides child welfare services to  
5 provide financial assistance until the child graduates high school or reaches 19 years of age,  
6 whichever comes first.

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

1 **Section 1.** NRS 127.186 is hereby amended to read as follows:  
2 127.186 1. The agency which provides child welfare services or a child-  
3 placing agency licensed by the Division pursuant to this chapter may consent to the  
4 adoption of a child under 18 years of age with special needs due to race, age or  
5 physical or mental problems who is in the custody of the agency which provides  
6 child welfare services or the licensed agency by proposed adoptive parents when, in  
7 the judgment of the agency which provides child welfare services or the child-  
8 placing agency, it would be in the best interests of the child to be placed in that  
9 adoptive home.  
10 2. The agency which provides child welfare services or child-placing agency,  
11 whichever has custody of the child, shall in a timely and diligent manner:  
12 (a) Schedule any evaluations necessary to identify any special needs the child  
13 may have.  
14 (b) If it determines that the child has any special needs:  
15 (1) Notify the proposed adoptive parents:  
16 (I) That they may be eligible for a grant of financial assistance  
17 pursuant to this section; and

1 (II) The manner in which to apply for such financial assistance; and

2 (2) Assist the proposed adoptive parents in applying for and satisfying any  
3 other prerequisites necessary to obtain a grant of financial assistance pursuant to  
4 this section and any other relevant subsidies and services which may be available.

5 3. The agency which provides child welfare services may grant financial  
6 assistance for attorney's fees in the adoption proceeding, for maintenance and for  
7 preexisting physical or mental conditions to the adoptive parents of a child with  
8 special needs out of money provided for that purpose if the head of the agency  
9 which provides child welfare services or his or her designee has reviewed and  
10 approved in writing the grant of financial assistance.

11 4. The grant of financial assistance must be limited, both as to amount and  
12 duration, by agreement in writing between the agency which provides child welfare  
13 services and the adoptive parents. Such an agreement must not become effective  
14 before the entry of the order of adoption.

15 5. Any grant of financial assistance must be reviewed and evaluated at least  
16 once annually by the agency which provides child welfare services. The evaluation  
17 must be presented for approval to the head of the agency which provides child  
18 welfare services or his or her designee. Financial assistance must be discontinued  
19 immediately upon written notification to the adoptive parents by the agency which  
20 provides child welfare services that continued assistance is denied.

21 6. All financial assistance provided under this section ceases immediately  
22 when the child ~~{attains majority, becomes}~~ :

23 *(a) Reaches 18 years of age, if the child is not enrolled in school, or 19 years*  
24 *of age, if the child is enrolled in school;*

25 *(b) Graduates from high school, if the child is at least 18 years of age;*

26 *(c) Becomes self-supporting [,-is];*

27 *(d) Is emancipated ; or {dies, whichever occurs first.}*

28 *(e) Dies.*

29 7. Neither a grant of financial assistance pursuant to this section nor any  
30 discontinuance of such assistance affects the legal status or respective obligations  
31 of any party to the adoption.

32 8. A court shall waive all court costs of the proposed adoptive parents in an  
33 adoption proceeding for a child with special needs if the agency which provides  
34 child welfare services or child-placing agency consents to the adoption of such a  
35 child pursuant to this section.

36 9. The Division, in consultation with each agency which provides child  
37 welfare services, shall adopt regulations regarding eligibility for and the procedures  
38 for applying for a grant of financial assistance pursuant to this section.

39 **Sec. 2.** This act becomes effective on July 1, 2023.