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ASSEMBLY BILL NO. 227—ASSEMBLYMEMBER MILLER

PREFILED FEBRUARY 3, 2025

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing adoption.  
(BDR 11-928)

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

CONTAINS UNFUNDED MANDATE (§ 53)  
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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

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AN ACT relating to adoption; repealing, reenacting, revising and reorganizing certain provisions relating to the adoption of children, the execution, modification and termination of agreements for postadoptive contact and the placement of children for adoption and permanent free care; establishing provisions relating to confirmatory adoptions and readoptions; revising and establishing provisions relating to the collection, maintenance and distribution of certain publications and information relating to the adoption of children; revising various provisions relating to the adoption of adults; requiring the Division of Child and Family Services of the Department of Health and Human Services to adopt various regulations; directing the Legislative Counsel to make various organizational changes concerning the placement of certain compacts for adoption in the Nevada Revised Statutes; providing penalties; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

- 1 Existing law establishes various procedures relating to the adoption of children.
- 2 (Chapter 127 of NRS) **Sections 106-149, 153-168 and 193** of this bill generally
- 3 remove and repeal various provisions related to the adoption of children in the
- 4 custody of agencies which provide child welfare services, and **sections 2-75 and**
- 5 **77-98** of this bill reenact similar, revised or new provisions for the purpose of



6 establishing provisions that independently govern adoptions facilitated by agencies  
7 which provide child welfare services.

8 Specifically, existing law establishes the State Register for Adoptions and the  
9 Register of Children with Special Needs and requires the Division of Child and  
10 Family Services of the Department of Health and Human Services to collect,  
11 maintain and distribute certain information and publications related to adoptions.  
12 (NRS 127.007-127.009) **Sections 19-21** of this bill establish similar registry and  
13 publication requirements related to adoptions of children in the custody of agencies  
14 which provide child welfare services, and **sections 107-109** of this bill make  
15 various changes to distinguish the existing requirements from such newly  
16 established provisions.

17 Additionally, existing law establishes various procedures which govern the  
18 adoption of children. (NRS 127.010-127.1869) **Sections 22-58** of this bill reenact  
19 and revise procedures governing the adoption of children in the custody of agencies  
20 which provide child welfare services, and **sections 101-106, 110-143 and 193**  
21 of this bill remove and repeal various provisions for the purpose of facilitating the  
22 separation of the provisions governing agencies which provide child welfare  
23 services, and additionally make certain other changes related to procedures for  
24 adoption under existing law.

25 Existing law establishes certain requirements related to the execution,  
26 enforcement, modification and termination of agreements for postadoptive contact.  
27 (NRS 127.187-127.1895) **Sections 59-64** of this bill reenact and revise such  
28 procedures related to agreements for postadoptive contacts in adoption procedures  
29 related to agencies which provide child welfare services. **Sections 144-149 and 193**  
30 of this bill remove and repeal various provisions related to agreements for  
31 postadoptive contact to facilitate the separation of the provisions related to agencies  
32 which provide child welfare services, and make various other changes related to the  
33 provisions governing agreements for postadoptive contact under existing law.

34 Existing law also authorizes child-placing agencies and agencies which provide  
35 child welfare services to place, arrange the placement of, or assist in placing or in  
36 arranging the placement of, children for adoption or permanent free care and  
37 establishes certain requirements related to the placements and assistance. (NRS  
38 127.220-127.310) **Sections 65-75** of this bill reenact and revise such provisions  
39 relating to placements and assistance provided by agencies which provide child  
40 welfare services. **Sections 153-168** of this bill remove the placement and assistance  
41 provisions related to agencies which provide child welfare services and make  
42 certain other changes related to placing and assisting in the placement children for  
43 adoption and permanent free care.

44 **Section 99** of this bill establishes procedures for confirmatory adoptions for the  
45 purpose of authorizing a petitioner to confirm the parentage of a child under certain  
46 circumstances.

47 **Section 100** of this bill establishes procedures for readoption which authorize  
48 certain persons who adopt a child through intercountry adoption to petition the  
49 court to readopt the child.

50 Existing law establishes the Interstate Compact on the Placement of Children  
51 and the Interstate Compact on Adoption and Medical Assistance. (NRS 127.330,  
52 127.410) **Section 189** of this bill directs the Legislative Counsel, in the next reprint  
53 of the Nevada Revised Statutes, to cause the transfer of each Compact to a new  
54 chapter of NRS, respectively.

55 Finally, existing law authorizes an adult to adopt another adult under certain  
56 circumstances and establishes various procedural requirements related to such  
57 adoptions. (NRS 127.005, 127.190-127.210) **Sections 150-152** of this bill make  
58 various changes relating to the adoption of adults.

59 **Sections 76 and 169-188** of this bill make conforming changes.



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

1       **Section 1.** Title 11 of NRS is hereby amended by adding  
2 thereto a new chapter to consist of the provisions set forth as  
3 sections 2 to 75, inclusive, of this act.

4       **Sec. 2.** *As used in this chapter, unless the context otherwise*  
5 *requires, the words and terms defined in sections 3 to 17,*  
6 *inclusive, of this act have the meanings ascribed to them in those*  
7 *sections.*

8       **Sec. 3.** *“Adult” means a person who is at least 18 years of*  
9 *age.*

10       **Sec. 4.** *“Agency which provides child welfare services” has*  
11 *the meaning ascribed to it in NRS 432B.030.*

12       **Sec. 5.** *“Blind” has the meaning ascribed to it in*  
13 *NRS 426.082.*

14       **Sec. 6.** *“Child” means a person who is less than 18 years of*  
15 *age.*

16       **Sec. 7.** *“Child-placing agency” means a nonprofit*  
17 *corporation organized pursuant to chapter 82 of NRS, and*  
18 *licensed by the Division to place children for adoption or*  
19 *permanent free care.*

20       **Sec. 8.** *“Child with special needs” means a child for whom*  
21 *placement with an adoptive parent is, in the opinion of the*  
22 *Administrator of the Division or the designee of the Administrator,*  
23 *made more difficult because of the age, race or number of siblings*  
24 *of the child, or because the child suffers from a severe or chronic*  
25 *medical, physical, mental or emotional condition.*

26       **Sec. 9.** *“Division” means the Division of Child and Family*  
27 *Services of the Department of Health and Human Services.*

28       **Sec. 10.** *“Holder of a valid registry identification card”*  
29 *means a person who holds a valid registry identification card, as*  
30 *defined in NRS 678C.080, that identifies the person as:*

31       1. *Exempt from state prosecution for engaging in the medical*  
32 *use of cannabis; or*

33       2. *A designated primary caregiver, as defined in*  
34 *NRS 678C.040.*

35       **Sec. 11.** *“Home study” means a study of the home of a*  
36 *prospective adoptive parent conducted in accordance with section*  
37 *67 of this act.*

38       **Sec. 12.** *“Indian child” has the meaning ascribed to it in*  
39 *NRS 125E.080.*

40       **Sec. 13.** *“Order of adoption” means a final judgment*  
41 *concerning a petition for adoption. The term includes a decree for*  
42 *adoption.*



1       **Sec. 14. "Parent" means:**

2       1. *A natural or legal parent whose parental rights have not*  
3 *been terminated.*

4       2. *A person who is alleged or reputed to be the natural parent*  
5 *of a child but whose parentage has not been legally established.*

6       3. *A person whose parentage has been established pursuant*  
7 *to chapter 126 of NRS or by court order.*

8       **Sec. 15. "Prospective adoptive parent" means a person who**  
9 *has filed or intends to file a petition for adoption of a child who is*  
10 *in the custody of an agency which provides child welfare services.*

11       **Sec. 16. "Relinquishment" means a document executed by a**  
12 *parent who is alive and whose parental rights have not been*  
13 *terminated acknowledging the consent of the parent to place the*  
14 *child for adoption with an agency which provides child welfare*  
15 *services.*

16       **Sec. 17. "Specific consent to adoption" means a document**  
17 *acknowledging the consent of the person to the adoption of a child*  
18 *by each prospective adoptive parent specified in the petition for*  
19 *adoption.*

20       **Sec. 18. The provisions of sections 2 to 75, inclusive, of this**  
21 *act govern the adoption of children who are placed in the custody*  
22 *of an agency which provides child welfare services pursuant to*  
23 *chapter 432B of NRS.*

24       **Sec. 19. 1. The Division shall maintain a State Register for**  
25 *Adoptions of Children Who Were in the Custody of an Agency*  
26 *Which Provides Child Welfare Services, which is hereby*  
27 *established, in its central office to provide information to identify:*

28       (a) *Designated adopted persons; and*

29       (b) *Persons who are related by blood within the third degree of*  
30 *consanguinity to designated adopted persons.*

31       2. *Except as otherwise provided in subsection 3, the State*  
32 *Register for Adoptions of Children Who Were in the Custody of an*  
33 *Agency Which Provides Child Welfare Services consists of:*

34       (a) *The names and other information, which the Administrator*  
35 *of the Division deems to be necessary for the operation of the State*  
36 *Register, relating to persons who have released a child for*  
37 *adoption or have consented to the adoption of a child, or whose*  
38 *parental rights have been terminated by a court of competent*  
39 *jurisdiction, and who have submitted the information voluntarily*  
40 *to the Division;*

41       (b) *The names and other necessary information of designated*  
42 *adopted persons who have submitted the information voluntarily*  
43 *to the Division; and*

44       (c) *The names and other necessary information of persons*  
45 *who are related by blood within the third degree of consanguinity*



1 *to designated adopted persons, and who have submitted the*  
2 *information voluntarily to the Division.*

3 3. *A person whose name appears in the State Register may*  
4 *withdraw it by requesting in writing that it be withdrawn and the*  
5 *Division shall immediately withdraw the name upon receiving a*  
6 *request to do so, and may not thereafter release any information to*  
7 *identify that person, including the information that the name was*  
8 *ever in the State Register.*

9 4. *Except as otherwise provided in subsection 5, the Division*  
10 *may release information about a person who is related by blood*  
11 *within the third degree of consanguinity to a designated adopted*  
12 *person or about a designated adopted person to a person related by*  
13 *blood within the third degree of consanguinity, if:*

14 (a) *The names and information about both persons are*  
15 *contained in the State Register; and*

16 (b) *The parent of the designated adopted person gives written*  
17 *consent for the release of the information.*

18 5. *A designated adopted person may, by submitting a written*  
19 *request to the Division, restrict the release of any information*  
20 *concerning the designated adopted person to one or more*  
21 *categories of persons who are related by blood within the third*  
22 *degree of consanguinity to the designated adopted person.*

23 6. *As used in this section, "designated adopted person"*  
24 *means an adult who was adopted as a child pursuant to the*  
25 *provisions of this chapter or substantially similar provisions of*  
26 *chapter 127 of NRS as those provisions existed before October 1,*  
27 *2025.*

28 **Sec. 20.** 1. *The Division shall establish a Register of*  
29 *Children with Special Needs Who Are in the Custody of an*  
30 *Agency Which Provides Child Welfare Services.*

31 2. *The Register must include descriptive information on every*  
32 *child with special needs for whom a prospective adoptive parent is*  
33 *not identified within 3 months after the child becomes available*  
34 *for adoption pursuant to the provisions of this chapter or*  
35 *substantially similar provisions of chapter 127 of NRS as those*  
36 *provisions existed before October 1, 2025.*

37 3. *The Register must not include any personal information*  
38 *which reveals the identity of a child with special needs described*  
39 *in subsection 2 or a parent of the child.*

40 4. *A copy of the Register must be made available for review*  
41 *by prospective adoptive parents at each office of the Division.*

42 **Sec. 21.** 1. *The Division shall prepare a booklet on*  
43 *adoption proceedings conducted pursuant to this chapter, which*  
44 *must include the following information:*

45 (a) *The legal basis of adoption;*



- 1 (b) *The purpose of adoption;*
- 2 (c) *The process of adoption;*
- 3 (d) *The number of children who are waiting to be adopted,*
- 4 *including statistical information regarding:*

5 (1) *The gender and ethnic background of the children who*

6 *are waiting to be adopted;*

7 (2) *The number of children placed in foster homes who are*

8 *waiting to be adopted;*

9 (3) *The number of children with special needs who are*

10 *waiting to be adopted; and*

11 (4) *The number of siblings who are waiting to be adopted;*

12 (e) *The name and location of child-placing agencies;*

13 (f) *The number of prospective adoptive parents;*

14 (g) *A comparison of this State to the surrounding states*

15 *regarding the placement of children with adoptive parents;*

16 (h) *A comparison of the Division to other child-placing*

17 *agencies regarding the placement of children with adoptive*

18 *parents; and*

19 (i) *Any subsidies, assistance and other services that may be*

20 *available to adoptive parents and prospective adoptive parents,*

21 *including, without limitation, services for children with special*

22 *needs.*

23 2. *The Division shall:*

24 (a) *Revise the information in the booklet annually; and*

25 (b) *Distribute the booklet to:*

26 (1) *Persons whose patients or clients are likely to become*

27 *involved with adoption proceedings conducted pursuant to this*

28 *chapter;*

29 (2) *Prospective adoptive parents; and*

30 (3) *Parents who are considering relinquishing for adoption*

31 *or consenting to adoption.*

32 3. *The Division may accept gifts and grants to assist in the*

33 *production and distribution of the booklet.*

34 **Sec. 22.** *Except as otherwise provided in NRS 125E.270, the*

35 *district courts of this State have original jurisdiction in adoption*

36 *proceedings conducted pursuant to this chapter.*

37 **Sec. 23.** 1. *Except as otherwise provided in chapter 125 of*

38 *NRS, and sections 27, 39, 46 and 54 to 58, inclusive, of this act, a*

39 *child of whom this State:*

40 (a) *Is the home state on the date of the commencement of the*

41 *adoption proceeding; or*

42 (b) *Was the home state within 6 months before the*

43 *commencement of the adoption proceeding,*

44 *↪ may not be adopted except upon an order of a district court in*

45 *this State.*



2. As used in this section, "home state" means:

(a) The state in which a child lived for at least 6 consecutive months, including any temporary absence from the state or any placement outside the state through the Interstate Compact on the Placement of Children pursuant to NRS 127.330, immediately before the commencement of a proceeding; or

(b) In the case of a child less than 6 months of age, the state in which the child lived from birth, including any temporary absence from the state.

**Sec. 24. 1.** Except as otherwise provided in subsection 2:

(a) A child may be adopted by one or more adults subject to the provisions of this chapter;

(b) Each adult adopting the child must be at least 10 years older than the child; and

(c) If the child is over 14 years of age, the child must agree to the adoption.

2. A court may approve the adoption of a child without regard to the age difference between the child and the prospective adoptive parents if:

(a) At least one prospective adoptive parent is related to the child by blood within the third degree of consanguinity; and

(b) The court is satisfied that the adoption is in the best interests of the child.

**Sec. 25. 1.** One or more adults may petition the district court of any county in this State for leave to adopt a child.

2. Except as otherwise provided in subsection 5, a person who is married and not lawfully separated from a spouse may not adopt a child without the agreement of the spouse, if the spouse is capable of agreeing to the adoption.

3. If a spouse agrees to an adoption as described in subsection 2, such agreement does not establish any parental rights or responsibilities on the part of the spouse, unless the spouse:

(a) Has, in a writing filed with the court, specifically agreed to:

(1) Adopt the child; and

(2) Establish parental rights and responsibilities; and

(b) Is named as an adoptive parent in the order of adoption.

4. The court shall not name a spouse who agrees to an adoption as described in subsection 2 as an adoptive parent in an order of adoption unless:

(a) The spouse has filed a writing with the court as described in paragraph (a) of subsection 3; and

(b) The home of the spouse is suitable for the child, as determined by a post-placement investigation conducted pursuant to section 40 of this act or a home study.



1       5. *The court may dispense with the requirement for the*  
2 *agreement of a spouse who cannot be located after a diligent*  
3 *search or who is determined by the court to lack the capacity to*  
4 *agree.*

5       6. *A spouse for whom the requirement was dispensed*  
6 *pursuant to subsection 5 must not be named as an adoptive parent*  
7 *in an order of adoption.*

8       7. *The court may determine that a child has a legal*  
9 *relationship with more than two persons who petition for the*  
10 *adoption of the child pursuant to this section.*

11       8. *As used in this section, "spouse" means a marital partner,*  
12 *domestic partner or civil partner, or a person sharing similar*  
13 *rights, benefits and protections to such persons.*

14       **Sec. 26.** *Except as otherwise provided in section 36 of this*  
15 *act, a specific consent to adoption is required before finalization of*  
16 *an adoption from:*

17       1. *Each parent of the child for adoption who is alive and who*  
18 *has not executed a relinquishment; and*

19       2. *Any legal guardian of the person of the child appointed by*  
20 *a court of competent jurisdiction.*

21       **Sec. 27.** 1. *If a petition for adoption of a child concerns the*  
22 *adoption of an Indian child, unless the parental rights of the*  
23 *parents of the Indian child have been terminated, consent in*  
24 *writing to the adoption must be given by the parents of the Indian*  
25 *child and the written consent must be filed with the court.*

26       2. *A parent of an Indian child may consent to the adoption of*  
27 *the Indian child at any time not less than 10 days following the*  
28 *date of the birth of the Indian child by executing the consent in*  
29 *person before the court on the record.*

30       3. *Before the execution of the consent of a parent under*  
31 *subsection 2, the court must explain to the parent on the record in*  
32 *detail and in the language of the parent:*

33       (a) *The right to legal counsel;*

34       (b) *The terms and consequences of the consent in detail; and*

35       (c) *That at any time before the entry of the order of adoption,*  
36 *the parent may withdraw consent for any reason and petition the*  
37 *court to have the child returned.*

38       4. *After the execution of the consent of a parent under*  
39 *subsection 2, the court shall certify that the court made the*  
40 *explanation under subsection 3 and that the parent fully*  
41 *understood the explanation.*

42       5. *At any time before the entry of an order of adoption, a*  
43 *parent of an Indian child may withdraw the consent under this*  
44 *section.*





1       6. A withdrawal of consent described in subsection 5 must be  
2 made by filing the written withdrawal with the court or by making  
3 a statement of withdrawal on the record in the adoption  
4 proceeding.

5       7. Upon entry of the withdrawal of consent pursuant to  
6 subsection 6, the court must promptly notify the person or entity  
7 that arranged the adoptive placement to regain custody and  
8 control of the Indian child and a parent who withdraws consent  
9 may petition the court for the return of the child.

10      8. As used in this section, "parent" has the meaning ascribed  
11 to it in NRS 125E.130.

12      **Sec. 28.** An agency which provides child welfare services  
13 may accept a specific consent to adoption or a relinquishment.

14      **Sec. 29.** An agency which provides child welfare services to  
15 which a child has been ordered or relinquished for adoption shall  
16 be responsible for the care of the child, and shall be entitled to the  
17 custody and control of the child at all times until a petition for  
18 adoption has been granted.

19      **Sec. 30. 1.** An agency which provides child welfare services  
20 which accepts a relinquishment for the adoption of a child  
21 pursuant to section 28 of this act shall make all necessary  
22 inquiries to determine whether the child is an Indian child.

23      2. If an agency which provides child welfare services  
24 determines pursuant to subsection 1 that the child is an Indian  
25 child and that the child is a ward of a tribal court, resides on a  
26 reservation or is domiciled on a reservation, the agency which  
27 provides child welfare services shall so notify the tribe of the child  
28 in writing.

29      3. The Division shall adopt regulations establishing  
30 reasonable and uniform standards for making the necessary  
31 inquiries to determine whether a child is an Indian child.

32      4. For the purposes of this section, the domicile of an Indian  
33 child must be determined according to federal common law.

34      **Sec. 31. 1.** A specific consent to adoption or a  
35 relinquishment executed in this State, or executed outside this  
36 State for use in this State, is not valid unless it:

37      (a) Identifies the child to be adopted by name, if any, sex and  
38 date of birth;

39      (b) Is in writing and signed, as applicable, by:

40          (1) A legal parent who is alive and whose parental rights  
41 have not been terminated by a court; or

42          (2) Any legal guardian of the person of the child appointed  
43 by a court of competent jurisdiction;

44      (c) Is acknowledged by a person described in paragraph (b)  
45 before:



1           (1) *A judge or a clerk of the court having a seal;*

2           (2) *A notary public; or*

3           (3) *A justice of the peace;*

4           (d) *If the document is a specific consent to adoption, contains,*  
5 *at the time of execution, the name of each person to whom specific*  
6 *consent to adopt the child is given;*

7           (e) *If the document is a relinquishment, contains the name of*  
8 *the agency which provides child welfare services;*

9           (f) *Indicates whether the person executing the document has*  
10 *reason to know that the child is an Indian child and, if the person*  
11 *does not have reason to know that the child is an Indian child,*  
12 *includes a statement that the person will inform the court*  
13 *immediately if, before the entry of the order of adoption pursuant*  
14 *to section 45 of this act, the person receives information that*  
15 *provides reason to know that the child is an Indian child; and*

16           (g) *Is attested by at least two competent, disinterested witnesses*  
17 *who meet the qualifications described in subsection 2 and*  
18 *subscribe their names to the document in the presence of or by*  
19 *video conference with the person described in paragraph (b).*

20           2. *At least one of the witnesses described in subsection 1 must*  
21 *be:*

22           (a) *If signing in this State, an employee of the agency which*  
23 *provides child welfare services; or*

24           (b) *If signing in another state, a person authorized in that state*  
25 *to witness or accept a specific consent to adoption or a*  
26 *relinquishment.*

27           **Sec. 32. 1.** *An attesting witness to any specific consent to*  
28 *adoption required by section 31 of this act may make and sign an*  
29 *affidavit before any person authorized to administer oaths in this*  
30 *State, stating such facts as they would be required to testify to in*  
31 *court to prove the due execution of the specific consent to*  
32 *adoption.*

33           2. *The affidavit described in subsection 1 must be written on*  
34 *the specific consent to adoption or, if that is impracticable, on*  
35 *some paper attached thereto.*

36           3. *The sworn statement of any witness described in subsection*  
37 *1 must be accepted by the court in any action or proceeding*  
38 *relating to the validity or due execution of the specific consent to*  
39 *adoption as if it had been taken before the court.*

40           4. *The affidavit described in subsection 1 may be*  
41 *substantially in the following form:*



1           *State of Nevada*                                 }  
2   }  
3           *County of.....*                                 }  
4

5   *(Date).....*  
6

7           *Then and there personally appeared the within-named*  
8           *..... and ....., who, being duly sworn, depose*  
9           *and say: That they witnessed the execution of the within*  
10          *specific consent to adoption by ..... (name of any*  
11          *person consenting); that she, he or they subscribed the*  
12          *specific consent to adoption and declared the same to be a*  
13          *voluntary specific consent to adoption in their presence;*  
14          *that at the time the specific consent to adoption was*  
15          *executed it contained the names of any person to whom*  
16          *specific consent was thereby given to adopt the child; that*  
17          *they thereafter subscribed the same as witnesses in the*  
18          *presence of ..... (name of any person consenting) and*  
19          *in the presence of each other and at the request of .....*  
20          *(name of any person consenting); that at the time of the*  
21          *execution of the specific consent to adoption .....*   
22          *(name of any person consenting) acknowledged to them that*  
23          *she, he or they was or were, and she, he or they appeared to*  
24          *them to be, in full possession of her, his or their faculties*  
25          *and not under the influence of any drug or sedative that*  
26          *could impact reasoning or judgment or subject to any*  
27          *duress, fear, menace, compulsion or undue influence*  
28          *whatever; and that they make this affidavit at her, his or*  
29          *their request.*  
30

31   .....  
32   .....  
33

34           *Subscribed and sworn to before me*  
35           *this ..... day of the month of ..... of the year .....*  
36

37           .....  
38

39   *Notary Public*

40          **Sec. 33. 1.** *An attesting witness to a relinquishment*  
41          *required by section 31 of this act may make and sign an affidavit*  
42          *before any person authorized to administer oaths in this State,*  
43          *stating such facts as they would be required to testify to in court to*  
              *prove the due execution of the relinquishment.*



1 2. The affidavit described in subsection 1 must be written on  
2 the relinquishment, or, if that is impracticable, on some paper  
3 attached thereto.

4 3. The sworn statement of any witness described in subsection  
5 1 must be accepted by the court in any action or proceeding  
6 relating to the validity or due execution of the relinquishment as if  
7 it had been taken before the court.

8 4. The affidavit described in subsection 1 may be  
9 substantially in the following form:

10  
11 State of Nevada }  
12 }ss.  
13 County of..... }

14  
15 (Date).....  
16

17 Then and there personally appeared the within-named  
18 ..... and ....., who, being duly sworn, depose  
19 and say: That they witnessed the execution of the within  
20 relinquishment by ..... (name of any  
21 person relinquishing); that she, he or they subscribed the  
22 relinquishment and declared the same to be a voluntary  
23 relinquishment in their presence; that at the time  
24 the relinquishment was executed it contained the name  
25 of the agency which provides child welfare services to which  
26 the relinquishment was made; that they thereafter  
27 subscribed the same as witnesses in the presence of  
28 ..... (name of any person relinquishing) and in the  
29 presence of each other and at the request of .....  
30 (name of any person relinquishing); that at the time of the  
31 execution of the relinquishment ..... (name of any  
32 person relinquishing) acknowledged to them that she, he or  
33 they was or were, and she, he or they appeared to them to  
34 be, in full possession of her, his or their faculties and not  
35 under the influence of any drug or sedative that could  
36 impact reasoning or judgment or subject to any duress, fear,  
37 menace, compulsion or undue influence whatever; and that  
38 they make this affidavit at her, his or their request.

39  
40 .....  
41 .....



1            *Subscribed and sworn to before me*  
2            *this ..... day of the month of ..... of the year .....*

3  
4            .....

5            *Notary Public*

6            **Sec. 34.** *The same petitioners may, in one petition, petition*  
7 *for the adoption of two or more children, if the children are*  
8 *siblings.*

9            **Sec. 35.** *1. A parent who is a child may execute a specific*  
10 *consent to adoption or a relinquishment without a requirement for*  
11 *notification to or consent by any parent.*

12            *2. A specific consent to adoption or a relinquishment*  
13 *executed by a parent who is a child may not be revoked or*  
14 *nullified based upon the parent becoming an adult.*

15            *3. A specific consent to adoption or a relinquishment cannot*  
16 *be revoked or nullified unless it was obtained under fraud, duress*  
17 *or undue influence, as determined by a court of competent*  
18 *jurisdiction if a petition is filed not later than 30 days after the*  
19 *execution of the specific consent to adoption or relinquishment.*

20            **Sec. 36.** *A specific consent to adoption or a relinquishment is*  
21 *not necessary if the parental rights of a parent have been*  
22 *terminated by a court or by operation of law by a birth father*  
23 *register operated in another state.*

24            **Sec. 37.** *All petitions, reports and orders in adoption*  
25 *proceedings conducted pursuant to this chapter shall be entitled*  
26 *only in the names of the adopting parties.*

27            **Sec. 38.** *1. A petition for adoption of a child may be filed at*  
28 *any time after the child is legally available for adoption and has*  
29 *been placed with the petitioners.*

30            *2. The petition for adoption must state, in substance, the*  
31 *following:*

32            *(a) The full name and age of the petitioners.*

33            *(b) The age of the child sought to be adopted and the date that*  
34 *the child was placed in the home of the petitioners.*

35            *(c) That it is the desire of the petitioners that the relationship*  
36 *of parent and child be established between the petitioners and the*  
37 *child.*

38            *(d) If the petitioners desire that the name of the child be*  
39 *changed, the new name desired for the child.*

40            *(e) That the petitioners are fit and proper persons to have the*  
41 *care and custody of the child.*

42            *(f) That the petitioners are financially able to provide for the*  
43 *child.*



1 (g) That there has been a full compliance with the law in  
2 regard to termination of parental rights, relinquishment for  
3 adoption or specific consent to adoption as to all parties.

4 (h) That there has been a full compliance with sections 65 to  
5 75, inclusive, of this act.

6 (i) Whether the petitioners have reason to know that the child  
7 is an Indian child.

8 (j) That there are no known signs that the child is currently  
9 experiencing victimization from human trafficking, exploitation or  
10 abuse.

11 (k) Whether an agreement for postadoptive contact has been  
12 entered into by the petitioners and any parent of the child to be  
13 adopted.

14 (l) Whether there is an order for visitation of a child by a  
15 sibling or other relative.

16 3. An order of adoption may be entered unless there has been  
17 full compliance with the provisions of sections 65 to 75, inclusive,  
18 of this act.

19 **Sec. 39. 1.** In addition to the requirements set forth in  
20 section 38 of this act, a petition for adoption of a child must  
21 contain:

22 (a) A declaration under penalty of perjury and documentation,  
23 as described by the regulations adopted by the Division pursuant  
24 to section 57 of this act, of the good faith efforts by the petitioner  
25 described in subsection 1 of NRS 125E.210, to determine whether  
26 there is reason to know that the child is an Indian child;

27 (b) A statement as to whether the petitioner has reason to  
28 know that the child is an Indian child; and

29 (c) If the petitioner has reason to know that the child is an  
30 Indian child:

31 (1) A declaration under penalty of perjury and  
32 documentation, as described by the regulations adopted by the  
33 Division pursuant to section 57 of this act, showing that the  
34 proposed adoptive placement complies with the requirements  
35 under NRS 125E.350; or

36 (2) A statement that the petitioner is moving the court  
37 under subsection 3 of NRS 125E.350 for a finding, by clear and  
38 convincing evidence, that good cause exists for alternative  
39 adoptive placement and a statement describing the details  
40 supporting the assertion of the petitioner that good cause exists for  
41 the alternative placement, as described in subsection 3 of  
42 NRS 125E.350.

43 2. A petition for adoption of a child must, if applicable,  
44 request the following:



1 (a) A finding that the petitioner complied with the inquiry  
2 requirements under subsection 1 of NRS 125E.210;

3 (b) A finding of whether there is reason to know that the child  
4 is an Indian child; and

5 (c) If the court finds that the child is an Indian child:

6 (1) The determinations required under NRS 125E.250  
7 regarding the residence, domicile and wardship status of the  
8 Indian child;

9 (2) A finding that the petitioner complied with the notice  
10 requirements under subsection 2 of NRS 125E.220; and

11 (3) A finding that the adoptive placement complies with the  
12 placement preferences under NRS 125E.350 or, if not, that upon  
13 the motion of the petitioner under subsection 3 of NRS 125E.350,  
14 good cause exists for placement contrary to the placement  
15 preferences in NRS 125E.350.

16 3. If the petitioner has reason to know that the child is an  
17 Indian child, within 30 days after filing the petition, the petitioner  
18 shall:

19 (a) Serve copies of the petition by registered or certified mail,  
20 return receipt requested, together with the notice of proceeding in  
21 the form required under subsection 3 of NRS 125E.220, to:

22 (1) Each tribe of which the Indian child may be a member  
23 or in which the Indian child may be eligible for membership;

24 (2) The appropriate Regional Director of the United States  
25 Bureau of Indian Affairs listed in 25 C.F.R. § 23.11(b), if the  
26 identity or location of the parents, Indian custodian or tribe of the  
27 child cannot be ascertained; and

28 (3) The appropriate agency which provides child welfare  
29 services.

30 (b) File a declaration of compliance with the court, including  
31 a copy of each notice sent, together with any return receipts or  
32 other proof of service.

33 **Sec. 40.** 1. A petition for adoption of a child must be filed  
34 with the clerk of the court.

35 2. Unless waived by the court, an agency which provides child  
36 welfare services shall complete a post-placement investigation and  
37 submit a report and other information required by subsection 3.

38 3. The agency which provides child welfare services shall, not  
39 later than 14 days before the hearing on the petition for adoption:

40 (a) Submit to the court a full written report regarding the  
41 condition of the child and the suitability of the home of each  
42 prospective adoptive parent, which must contain, without  
43 limitation:

44 (1) A specific recommendation for or against approval of  
45 the petition; and



1           (2) *A statement of whether the child is known to be an*  
2 *Indian child; and*

3           (b) *Furnish to the court any other information regarding the*  
4 *child or proposed home which the court requires.*

5           4. *The court, on good cause shown, may extend the time,*  
6 *designating a time certain, within which to submit the report*  
7 *required by subsection 3.*

8           5. *If the court is dissatisfied with the report submitted by the*  
9 *agency which provides child welfare services, the court may order*  
10 *an independent investigation of the home of the prospective*  
11 *adoptive parents to be conducted and a report submitted by an*  
12 *agency selected by the court.*

13           6. *The costs of the investigation and report under this section*  
14 *may be assessed against the petitioner.*

15           **Sec. 41.** *A notice of the filing of a petition for adoption of a*  
16 *child must be provided to all legal custodians or guardians of the*  
17 *child who are not a parent of the child.*

18           **Sec. 42.** 1. *A report of an agency which provides child*  
19 *welfare services submitted pursuant to section 40 of this act must*  
20 *not be made a matter of public record, but must be given in writing*  
21 *and in confidence to the district judge before whom the matter is*  
22 *pending.*

23           2. *If the recommendation of the agency which provides child*  
24 *welfare services submitted pursuant to section 40 of this act is*  
25 *adverse, the district judge, before denying the petition for*  
26 *adoption, shall give the petitioner an opportunity to rebut the*  
27 *findings and recommendation of the report of the agency which*  
28 *provides child welfare services.*

29           **Sec. 43.** 1. *Except as otherwise provided in NRS 239.0115,*  
30 *all hearings held in proceedings under this chapter are*  
31 *confidential and must be held in closed court, without admittance*  
32 *of any person other than the petitioners, their witnesses, the*  
33 *director of an agency which provides child welfare services, or*  
34 *their authorized representatives, attorneys and persons entitled to*  
35 *notice by this chapter, except by order of the court.*

36           2. *The files and records of the court in adoption proceedings*  
37 *are not open to inspection by any person except:*

38           (a) *Upon an order of the court expressly so permitting*  
39 *pursuant to a petition setting forth the reasons therefor;*

40           (b) *If a parent and the child are eligible to receive information*  
41 *from the State Register for Adoptions of Children Who Were in*  
42 *the Custody of an Agency Which Provides Child Welfare Services*  
43 *established by section 19 of this act; or*

44           (c) *As provided pursuant to subsections 3 to 6, inclusive.*





1       3. An adoptive parent who intends to file a petition pursuant  
2 to section 62 or 64 of this act to enforce, modify or terminate an  
3 agreement that provides for postadoptive contact may inspect only  
4 the portions of the files and records of the court concerning the  
5 agreement for postadoptive contact.

6       4. A parent who intends to file a petition pursuant to section  
7 62 of this act to prove the existence of or to enforce an agreement  
8 that provides for postadoptive contact or to file an action pursuant  
9 to NRS 41.509 may inspect only the portions of the files or records  
10 of the court concerning the agreement for postadoptive contact.

11       5. Upon the request of a sibling or adoptive child who wishes  
12 to enforce, modify or terminate an order for visitation included in  
13 an order of adoption pursuant to section 73 of this act, the court  
14 shall provide the case number of the adoption proceeding to the  
15 sibling and allow the sibling to inspect only the portions of the  
16 files or records of the court concerning the order for visitation.

17       6. The portions of the files and records which are made  
18 available for inspection by an adoptive parent, parent or sibling  
19 pursuant to subsection 3, 4 or 5 must not include any confidential  
20 information, including, without limitation, any information that  
21 identifies or would lead to the identification of a parent if the  
22 identity of the parent is not included in the agreement for  
23 postadoptive contact or order for visitation, as applicable.

24       **Sec. 44.** 1. Except as otherwise provided in subsection 2, a  
25 prospective adoptive parent, child, representative of the agency  
26 which provides child welfare services, or attorney for any party  
27 may attend by telephone or video conference, in lieu of attending  
28 in person, any hearing held by the court concerning the petition  
29 for adoption.

30       2. A court for good cause shown may waive the appearance  
31 of the child at any hearing concerning the petition for adoption.

32       **Sec. 45.** 1. If a court finds that the best interests of the  
33 child warrant the granting of the petition, an order of adoption  
34 must be made and filed ordering that henceforth the child is the  
35 child of the petitioners.

36       2. When determining whether the best interests of the child  
37 warrant the granting of a petition that is filed by a prospective  
38 adoptive parent, the court shall give strong consideration to the  
39 emotional bond between the child and the prospective adoptive  
40 parent.

41       3. A copy of the order of adoption must be sent to the Division  
42 by the petitioners not later than 7 days after the order is issued by  
43 the court.

44       4. In an order of adoption, the court may change the name of  
45 the child, if desired by the petitioners.



1       5. An order of adoption may not be made until 6 months after  
2 the placement of the child with the petitioners.

3       6. If the court is not satisfied that the proposed adoption is in  
4 the best interests of the child, the court shall deny the petition and  
5 custody remains with the agency which provides child welfare  
6 services.

7       7. The court shall not deny a petition for adoption solely  
8 because the petitioner:

9       (a) Is deaf, is blind or has another physical disability; or

10       (b) Is the holder of a valid registry identification card.

11       8. After a petition for adoption has been granted, there is a  
12 presumption that remaining in the home of the adopting parent is  
13 in the best interests of the child.

14       **Sec. 46.** 1. An order entered pursuant to section 45 of this  
15 act must include:

16       (a) A finding that the petitioner complied with the inquiry  
17 requirements under subsection 1 of NRS 125E.210 to determine  
18 whether there is reason to know that the child is an Indian child;  
19 and

20       (b) A finding that the child is or is not an Indian child.

21       2. In an adoption of an Indian child, the order must include:

22       (a) The birth name and date of birth of the Indian child, the  
23 tribal affiliation of the Indian child and the name of the Indian  
24 child after adoption;

25       (b) If known, the names and addresses of the parents;

26       (c) The names and addresses of the adoptive parents;

27       (d) The name and contact information for any agency having  
28 files or information relating to the adoption;

29       (e) Any information relating to tribal membership or eligibility  
30 for tribal membership of the Indian child;

31       (f) The determination regarding the residence, domicile and  
32 tribal wardship status of the Indian child as required under  
33 NRS 125E.250;

34       (g) A finding that the petitioner complied with the notice  
35 requirements under subsection 2 of NRS 125E.220;

36       (h) If the adoptive placement and the parents entered into a  
37 post-adoptive contact agreement or the adoptive placement and the  
38 tribe of the Indian child has entered into an agreement that  
39 requires the adoptive placement to maintain connection between  
40 the child and the tribe of the Indian child, the terms of the  
41 agreement; and

42       (i) A finding that the adoptive placement complies with the  
43 placement preferences under NRS 125E.350 or, if the placement  
44 does not comply with the placement preferences under NRS  
45 125E.350, a finding upon the motion of the petitioner under



1 *subsection 3 of NRS 125E.350 that good cause exists for*  
2 *placement contrary to the placement preferences.*

3 *3. For each finding or determination made under this*  
4 *section, the court must provide a description of the facts upon*  
5 *which the finding or determination is based.*

6 *4. Upon entry of the order of adoption of an Indian child, the*  
7 *court shall provide to the United States Bureau of Indian Affairs*  
8 *copies of the order entered pursuant to section 45 of this act, any*  
9 *affidavit signed by a consenting parent requesting anonymity,*  
10 *and all other required information in accordance with 25 C.F.R.*  
11 *§ 23.140.*

12 **Sec. 47. 1. Except as otherwise provided in subsection 4,**  
13 **the agency which provides child welfare services shall provide a**  
14 **prospective adoptive parent with a report which includes:**

15 **(a) A copy of any medical records of the child which are in the**  
16 **possession of the agency which provides child welfare services.**

17 **(b) Any information obtained by the agency which provides**  
18 **child welfare services during interviews of the parent regarding:**

19 **(1) The medical and sociological history of the child and**  
20 **the parents of the child; and**

21 **(2) Any behavioral, emotional or psychological problems**  
22 **that the child may have.**

23 **(c) Written information regarding any subsidies, assistance**  
24 **and other services that may be available to the child if it is**  
25 **determined pursuant to section 53 of this act that the child has any**  
26 **special needs.**

27 **2. Any information regarding any behavioral, emotional or**  
28 **psychological problems that the child may have must be discussed**  
29 **in accordance with policies established by an agency which**  
30 **provides child welfare services pursuant to regulations adopted by**  
31 **the Division for the disclosure of such information.**

32 **3. The agency which provides child welfare services shall**  
33 **obtain from the prospective adoptive parent written confirmation**  
34 **that the prospective adoptive parent has received the report**  
35 **required pursuant to subsection 1.**

36 **4. The report required pursuant to subsection 1 must exclude**  
37 **any information that would lead to the identification of a parent.**

38 **5. The Division shall adopt regulations specifying the**  
39 **procedure and format for the provision of information pursuant to**  
40 **this section, which may include the provision of a summary of**  
41 **certain information.**

42 **6. If a summary is provided pursuant to this section, the**  
43 **prospective adoptive parent may also obtain the information set**  
44 **forth in subsection 1.**



1       **Sec. 48. 1.** *After an order of adoption has been entered, the*  
2 *court shall direct the petitioner or the attorney of the petitioner to*  
3 *prepare a report of adoption to the State Registrar of Vital*  
4 *Statistics, if the child was born in this State, or an equivalent*  
5 *office responsible for vital statistics in the place of birth of the*  
6 *child.*

7       **2.** *A report of adoption to the State Registrar of Vital*  
8 *Statistics must be on a form prescribed and furnished by the State*  
9 *Registrar of Vital Statistics.*

10       **3.** *A report described in subsection 1 must:*

11       **(a)** *Identify the original certificate of birth of the person*  
12 *adopted;*

13       **(b)** *Provide sufficient information to prepare a new certificate*  
14 *of birth for the person adopted;*

15       **(c)** *Identify the order of adoption; and*

16       **(d)** *Be certified by the clerk of the court.*

17       **4.** *The agency which provides child welfare services shall*  
18 *provide the petitioner or the attorney of the petitioner with any*  
19 *factual information which will assist in the preparation of a report*  
20 *described in subsection 1.*

21       **5.** *If an order of adoption is amended or annulled, the*  
22 *petitioner or the attorney of the petitioner shall prepare a report to*  
23 *the State Registrar of Vital Statistics, if the child was born in this*  
24 *State, or an equivalent office responsible for vital statistics in the*  
25 *place of birth of the child, as applicable, which includes sufficient*  
26 *information to identify the original order of adoption and the*  
27 *provisions of that order which were amended or annulled.*

28       **6.** *The petitioner or the attorney of the petitioner shall*  
29 *forward all reports required by the provisions of this section to the*  
30 *State Registrar of Vital Statistics or the office responsible for vital*  
31 *statistics in the place of birth of the child, as applicable, not later*  
32 *than 30 days after the date that the order was entered, or more*  
33 *frequently if requested by the State Registrar, together with any*  
34 *related material required by the State Registrar, or office*  
35 *responsible for vital statistics, as applicable.*

36       **Sec. 49. 1.** *Upon the entry of an order of adoption, the*  
37 *child shall become the legal child of the persons adopting the*  
38 *child, and such persons shall become the legal parents of the child*  
39 *with all the rights and duties between them of parent and child.*

40       **2.** *By virtue of the adoption, the child shall inherit from the*  
41 *adoptive parents or their relatives the same as though the child*  
42 *were the natural child of such parents, and in case of the death of*  
43 *the child intestate the adoptive parents and their relatives shall*  
44 *inherit the estate of the child as if the adoptive parents had been*  
45 *the natural parents and relatives in fact of the child.*



1 3. After an order of adoption, any parent who executed a  
2 relinquishment or a specific consent to adoption that also  
3 terminated parental rights is relieved of all parental  
4 responsibilities for the adopted child and shall not exercise or have  
5 any rights over the adopted child or the property of the adopted  
6 child.

7 4. The child does not owe a parent whose parental rights have  
8 been terminated any legal duty and may not inherit from a parent  
9 whose parental rights have been terminated or kindred of a parent  
10 whose parental rights have been terminated.

11 5. Notwithstanding any other provisions to the contrary in  
12 this section, the adoption of a child does not in any way change  
13 the status of the relationship between the child and any parent  
14 who is a petitioner and whose parental rights have not been  
15 terminated.

16 **Sec. 50.** 1. A parent may not bring an action to set aside an  
17 adoption after a petition for adoption has been granted, unless a  
18 court of competent jurisdiction has previously, in a separate  
19 action:

20 (a) Set aside the specific consent to adoption;

21 (b) Set aside the relinquishment; or

22 (c) Reversed an order terminating the parental rights of the  
23 parent.

24 2. After a petition for adoption has been granted, there is a  
25 presumption for the purposes of this chapter that remaining in the  
26 home of the adoptive parents is in the best interests of the child.

27 **Sec. 51.** 1. Except as otherwise provided in sections 59 to  
28 64, inclusive, of this act, in a proceeding for the adoption of a  
29 child, the court may grant a reasonable right to visit to:

30 (a) A sibling of the child if the child is in the custody of an  
31 agency which provides child welfare services and a similar right  
32 has been granted previously pursuant to NRS 432B.580; and

33 (b) Certain relatives of the child only if a similar right had  
34 been granted previously pursuant to NRS 125C.050.

35 2. The agency which provides child welfare services shall  
36 provide the court which is conducting the adoption proceedings  
37 with a copy of any order for visitation with a sibling of the child  
38 that was issued pursuant to NRS 432B.580.

39 3. The court may not grant a right to visit the child to any  
40 person other than as specified in subsection 1.

41 **Sec. 52.** Any person against whom any order, judgment or  
42 decree is made or who is affected thereby may appeal to the  
43 appellate court of competent jurisdiction pursuant to the rules  
44 fixed by the Supreme Court pursuant to Section 4 of Article 6 of  
45 the Nevada Constitution from any order, judgment or decree of



1 *the district court made under the provisions of this chapter, in the*  
2 *same manner as in other civil proceedings.*

3 **Sec. 53. 1.** *The agency which provides child welfare*  
4 *services may consent to the adoption of a child with special needs*  
5 *who is in the custody of the agency which provides child welfare*  
6 *services by prospective adoptive parents when, in the judgment of*  
7 *the agency which provides child welfare services, it would be in*  
8 *the best interests of the child to be placed in that adoptive home.*

9 **2.** *The agency which provides child welfare services shall in a*  
10 *timely and diligent manner:*

11 (a) *Schedule any evaluations necessary to identify any special*  
12 *needs the child may have.*

13 (b) *If it determines that the child has any special needs:*

14 (1) *Notify the prospective adoptive parents:*

15 (I) *That the prospective adoptive parents may be eligible*  
16 *for a grant of financial assistance pursuant to this section; and*

17 (II) *The manner in which to apply for such financial*  
18 *assistance; and*

19 (2) *Assist the prospective adoptive parents in applying for*  
20 *and satisfying any other prerequisites necessary to obtain a grant*  
21 *of financial assistance pursuant to this section and any other*  
22 *relevant subsidies and services which may be available.*

23 **3.** *The agency which provides child welfare services may*  
24 *grant financial assistance for attorney's fees in the adoption*  
25 *proceeding, for maintenance and for preexisting physical or*  
26 *mental conditions to the adoptive parents of a child with special*  
27 *needs out of money provided for that purpose if the head of the*  
28 *agency which provides child welfare services or the designee of*  
29 *that person has reviewed and approved in writing the grant of*  
30 *financial assistance.*

31 **4.** *The grant of financial assistance must be limited, both as*  
32 *to amount and duration, by agreement in writing between the*  
33 *agency which provides child welfare services and the prospective*  
34 *adoptive parents, and the agreement must not become effective*  
35 *before the entry of the order of adoption.*

36 **5.** *Any grant of financial assistance must be reviewed and*  
37 *evaluated at least once annually by the agency which provides*  
38 *child welfare services and the evaluation must be presented for*  
39 *approval to the head of the agency which provides child welfare*  
40 *services or the designee of that person.*

41 **6.** *If a determination is made under subsection 5 that*  
42 *financial assistance must be discontinued, the agency which*  
43 *provides child welfare services shall notify the adoptive parents of*  
44 *that fact and discontinue the financial assistance to the adoptive*  
45 *parents.*



1       7. All financial assistance provided under this section ceases  
2 immediately when the child:

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

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

7       (c) Becomes self-supporting;

8       (d) Is emancipated; or

9       (e) Dies.

10      8. Neither a grant of financial assistance pursuant to this  
11 section nor any discontinuance of such assistance affects the legal  
12 status or respective obligations of any party to the adoption.

13      9. A court shall waive all court costs of the prospective  
14 adoptive parents in an adoption proceeding for a child with special  
15 needs if the agency which provides child welfare services consents  
16 to the adoption of such a child pursuant to this section.

17      10. The Division, in consultation with each agency which  
18 provides child welfare services, shall adopt regulations regarding  
19 eligibility for and the procedures for applying for a grant of  
20 financial assistance pursuant to this section.

21      **Sec. 54. 1.** A petition to vacate an order of adoption of an  
22 Indian child under this chapter may be filed in a court of  
23 competent jurisdiction by a parent who consented to the adoption.

24      2. Upon the filing of a petition under this section, the court  
25 shall set a time for a hearing on the petition and provide notice of  
26 the petition and hearing to each party to the adoption proceeding  
27 and to the tribe of the Indian child.

28      3. After a hearing on the petition, the court shall vacate the  
29 order of adoption if:

30      (a) The petition is filed not later than 2 years after the date of  
31 the order; and

32      (b) The court finds by clear and convincing evidence that the  
33 consent of the parent was obtained through fraud or duress.

34      4. When the court vacates an order of adoption under this  
35 section, the court shall also order that the parental rights of the  
36 parent whose consent the court found was obtained through fraud  
37 or duress be restored.

38      5. The order restoring parental rights under this section must  
39 include a plan for the physical custody of the Indian child,  
40 whether the Indian child will be placed with an agency which  
41 provides child welfare services or with the parent.

42      **Sec. 55. 1.** If an order of adoption of an Indian child under  
43 this chapter is vacated, the court vacating the order must notify, by  
44 registered or certified mail with return receipt requested, the  
45 former parents, prior Indian custodian, if any, and tribe of the





1 *Indian child and the appropriate agency which provides child*  
2 *welfare services.*

3 2. *The notice required under subsection 1 must:*

4 (a) *Include the current and any former names of the Indian*  
5 *child as reflected in the court record;*

6 (b) *Inform the recipient of the right to move the court for the*  
7 *return of custody of and restoration of parental rights to the*  
8 *Indian child, if appropriate, under this section;*

9 (c) *Provide sufficient information to allow the recipient to*  
10 *participate in any scheduled hearings; and*

11 (d) *Be sent to the last known address in the court record.*

12 3. *A former parent or prior Indian custodian of an Indian*  
13 *child may waive notice under this section by executing a waiver of*  
14 *notice in person before the court and filing the waiver with the*  
15 *court.*

16 4. *The waiver described in subsection 3 must clearly set out*  
17 *any conditions to the waiver.*

18 5. *Before the execution of the waiver described in subsection*  
19 *3, the court must explain to the former parent or prior Indian*  
20 *custodian, on the record in detail and in the language of the*  
21 *former parent or prior Indian custodian:*

22 (a) *The right to legal counsel of the former parent, if*  
23 *applicable;*

24 (b) *The terms and consequences of the waiver; and*

25 (c) *How the waiver may be revoked.*

26 6. *After execution of the waiver pursuant to subsection 3, the*  
27 *court shall certify that it provided the explanation as required*  
28 *under subsection 5 and that the former parent or prior Indian*  
29 *custodian fully understood the explanation.*

30 7. *At any time before the entry of an order of adoption of an*  
31 *Indian child, the former parent or prior Indian custodian may*  
32 *revoke a waiver executed by the former parent or prior Indian*  
33 *custodian pursuant to subsection 3 by filing a written revocation*  
34 *with the court or by making a statement of revocation on the*  
35 *record in a proceeding for the adoption of the Indian child.*

36 8. *If an order of adoption of an Indian child under this*  
37 *chapter is vacated other than as provided in NRS 125E.360, a*  
38 *former parent or prior Indian custodian of an Indian child may*  
39 *intervene in the proceeding and move the court for the Indian*  
40 *child to be returned to the custody of the former parent or prior*  
41 *Indian custodian and for the parental rights to the Indian child to*  
42 *be restored.*

43 9. *The moving party described in subsection 8 shall provide*  
44 *by registered or certified mail, return receipt requested, notice of*  
45 *the motion for the Indian child to be returned to the custody of the*





1 *former parent or prior Indian custodian and the time set for filing*  
2 *objections to the motion, together with notice of proceeding in the*  
3 *form required under subsection 3 of NRS 125E.220 to:*

4 (a) *The agency which provides child welfare services in the*  
5 *county in which the order was vacated;*

6 (b) *Each tribe of which the child may be a member or in which*  
7 *the Indian child may be eligible for membership;*

8 (c) *The parents of the child;*

9 (d) *The Indian custodian of the child, if applicable; and*

10 (e) *The appropriate Regional Director of the United States*  
11 *Bureau of Indian Affairs listed in 25 C.F.R. § 23.11(b), if the*  
12 *identity or location of the parents of the child cannot be*  
13 *ascertained.*

14 10. *The petitioner shall file a declaration of compliance,*  
15 *including a copy of each notice sent under subsection 9, together*  
16 *with any return receipts or other proof of service.*

17 11. *Upon the filing of an objection to a motion made*  
18 *pursuant to subsection 8, the court shall fix the time for hearing*  
19 *on objections.*

20 12. *The court shall order the Indian child to be returned to*  
21 *the custody of the former parent or prior Indian custodian or*  
22 *restore the parental rights to the Indian child unless the court*  
23 *finds, by clear and convincing evidence, that the return of custody*  
24 *or restoration of parental rights is not in the best interests of the*  
25 *child, as described in NRS 125E.230. If the court orders the*  
26 *Indian child to be returned to the custody of the former parent or*  
27 *prior Indian custodian, the order of the court must include a*  
28 *transition plan for the physical custody of the child, which may*  
29 *include protective supervision.*

30 13. *As used in this section:*

31 (a) *“Former parent” means a person who was previously the*  
32 *parent of an Indian child subject to an order of adoption under*  
33 *this chapter and whose parental rights have not been restored*  
34 *under section 54 of this act.*

35 (b) *“Prior Indian custodian” means a person who was*  
36 *previously the custodian of an Indian child subject to an order of*  
37 *adoption of the child under this chapter.*

38 **Sec. 56.** 1. *Notwithstanding any other provision of law, if a*  
39 *tribe of an Indian child or the United States Secretary of the*  
40 *Interior requests access to the adoption records of an Indian child,*  
41 *the court must make the records available not later than 14 days*  
42 *following the date of the request.*

43 2. *The records made available under subsection 1 must, at a*  
44 *minimum, include the petition, all substantive orders entered in*  
45 *the adoption proceeding, the complete record of the placement*



1 *finding and, if the placement departs from the placement*  
2 *preferences under NRS 125E.350, detailed documentation of the*  
3 *efforts to comply with the placement preferences.*

4 **Sec. 57. 1.** *In a proceeding for the adoption of a child, not*  
5 *later than 90 days after service of a petition upon the appropriate*  
6 *agency which provides child welfare services as required pursuant*  
7 *to section 39 of this act, the agency which provides child welfare*  
8 *services shall file with the court an ICWA compliance report,*  
9 *which must reflect the review by the agency which provides child*  
10 *welfare services of the petition and advise the court on whether the*  
11 *documentation submitted by the petitioner is sufficient and*  
12 *complete for the court to make the findings required pursuant to*  
13 *subsection 2. Nothing in this section requires the agency which*  
14 *provides child welfare services to make a determination of law*  
15 *regarding the documentation provided by the petitioner.*

16 **2.** *Upon receiving an ICWA compliance report, the court*  
17 *shall order the matter to proceed if the court finds that the*  
18 *petitioner satisfied the inquiry requirements under subsection 1 of*  
19 *NRS 125E.210 and, if applicable, the notice requirements under*  
20 *subsection 2 of NRS 125E.220. If the court finds that:*

21 *(a) Subject to the procedures under subsection 3 of NRS*  
22 *125E.210, the child is an Indian child, the order by the court*  
23 *under this subsection must include a finding regarding whether*  
24 *the proposed adoptive placement complies with the preferences*  
25 *under NRS 125E.350. If the court finds that the proposed adoptive*  
26 *placement does not comply with such preferences or that the*  
27 *documentation provided by the petitioner is insufficient for the*  
28 *court to make a finding, the court shall direct the petitioner to*  
29 *amend the petition to cure the deficiency or file a motion under*  
30 *subsection 3 of NRS 125E.350, for authority to make the*  
31 *placement contrary to the placement preferences under*  
32 *NRS 125E.350.*

33 *(b) The petitioner failed to satisfy the inquiry requirements*  
34 *under subsection 1 of NRS 125E.210 or, if applicable, the notice*  
35 *requirements under subsection 2 of NRS 125E.220, or if the*  
36 *documentation supplied by the petitioner is insufficient for the*  
37 *court to make those findings, the court shall direct the petitioner to*  
38 *cure the inquiry or notice deficiency and file an amended petition.*  
39 *If the court directs the petitioner to file an amended petition*  
40 *pursuant to this subsection or a motion and the petitioner fails to*  
41 *do so within a reasonable amount of time, the court shall order the*  
42 *petitioner to appear and show cause why the court should not*  
43 *dismiss the petition.*

44 **3.** *The Division shall adopt regulations providing a*  
45 *nonexhaustive description of the documentation that petitioners or*



1 *moving parties in proceedings under this chapter and chapter 127*  
2 *of NRS may submit to the court to document compliance with the*  
3 *inquiry requirements under subsection 1 of NRS 125E.210 and*  
4 *notice requirements under subsection 2 of NRS 125E.220 and the*  
5 *placement preferences under NRS 125E.350, including, without*  
6 *limitation:*

7 (a) *Descriptions of the consultations the petitioner or moving*  
8 *party made with the persons described in subsection 1 of NRS*  
9 *125E.210 and subsection 3 of NRS 125E.220 and the responses*  
10 *the petitioner or moving party obtained;*

11 (b) *Descriptions of any oral responses and copies of any*  
12 *written responses the petitioner or moving party obtained from the*  
13 *persons described in subsection 1 of NRS 125E.210 and*  
14 *subsection 3 of NRS 125E.220;*

15 (c) *Copies of any identification cards or other records*  
16 *indicating the membership of the child or the parent of the child in*  
17 *an Indian tribe;*

18 (d) *Copies of any tribal court records regarding the Indian*  
19 *child;*

20 (e) *Any reports, declarations or testimony on the record*  
21 *documenting the due diligence of the petitioner or moving party to*  
22 *identify and work with all of the tribes of which the petitioner or*  
23 *moving party has reason to know that the child may be a member*  
24 *or in which the child may be eligible for membership; and*

25 (f) *The declaration of compliance regarding the notices the*  
26 *petitioner sent, as described in NRS 127.115 and section 39 of this*  
27 *act.*

28 4. *The Division shall adopt any other regulations for the*  
29 *preparation of ICWA compliance reports that are necessary for*  
30 *agencies which provide child welfare services to carry out their*  
31 *duties under this chapter.*

32 5. *The Court Administrator may prepare and make available*  
33 *to the public forms and information to assist petitioners to comply*  
34 *with the requirements under this section and NRS 125E.210,*  
35 *125E.220, 125E.350 and 127.115 and section 39 of this act and*  
36 *any related rules or regulations, including, without limitation:*

37 (a) *Forms of petitions required under NRS 127.115 and*  
38 *section 39 of this act, motions to request a deviation from the*  
39 *placement preferences under subsection 3 of NRS 125E.350 and*  
40 *notices required under subsection 3 of NRS 125E.220; and*

41 (b) *Worksheets and checklists to assist petitioners with the*  
42 *inquiry required under subsection 1 of NRS 125E.210 and the*  
43 *notices required under subsection 2 of NRS 125E.220, and*  
44 *assessing whether proposed adoptive placements satisfy the*  
45 *preferences under NRS 125E.350.*



1       6. *The Court Administrator may design and offer trainings to*  
2 *courts having jurisdiction over adoption matters regarding the*  
3 *application of chapter 125E of NRS, NRS 127.041, 127.115,*  
4 *127.151, 127.1861, 127.1863 and 127.1865 and sections 27, 39, 46*  
5 *and 54 to 58, inclusive, of this act to adoptions of children,*  
6 *including, without limitation, identifying when there is reason to*  
7 *know that the child is an Indian child and making findings*  
8 *regarding the sufficiency of inquiry and notice and the*  
9 *appropriateness of adoptive placements.*

10       7. *As used in this section, "ICWA compliance report" means*  
11 *a written report prepared by an agency which provides child*  
12 *welfare services concerning compliance with the Indian Child*  
13 *Welfare Act of 1978, 25 U.S.C. §§ 1901 et seq.*

14       **Sec. 58.** 1. *If the court determines that tribal customary*  
15 *adoption is in the best interests, as described in NRS 125E.230, of*  
16 *a ward who is an Indian child and the tribe of the Indian child*  
17 *consents to the tribal customary adoption:*

18       (a) *The appropriate agency which provides child welfare*  
19 *services shall provide the tribe of the Indian child and prospective*  
20 *tribal customary adoptive parents with a written report on the*  
21 *Indian child, including, without limitation, to the extent not*  
22 *otherwise prohibited by state or federal law, the medical*  
23 *background, if known, of the parents of the Indian child, and any*  
24 *educational information, developmental history and medical*  
25 *background of the Indian child, including all known diagnostic*  
26 *information, current medical reports and any psychological*  
27 *evaluations.*

28       (b) *The court shall accept a tribal customary adoptive home*  
29 *study conducted by the tribe of the Indian child if the home study:*

30       (1) *Includes federal criminal background checks, including*  
31 *reports of child abuse, that meet the standards applicable under*  
32 *the laws of this State for all other proposed adoptive placements;*

33       (2) *Uses the prevailing social and cultural standards of the*  
34 *tribe of the Indian child as the standards for evaluation of the*  
35 *proposed adoptive placement;*

36       (3) *Includes an evaluation of the background, safety and*  
37 *health information of the proposed adoptive placement, including*  
38 *the biological, psychological and social factors of the proposed*  
39 *adoptive placement and assessment of the commitment, capability*  
40 *and suitability of the proposed adoptive placement to meet the*  
41 *needs of the Indian child; and*

42       (4) *Except where the proposed adoptive placement is the*  
43 *current foster care placement of the Indian child, is completed*  
44 *before the placement of the Indian child in the proposed adoptive*  
45 *placement.*



1 (c) Notwithstanding subsection 2, the court may not accept the  
2 order or judgment of tribal customary adoption of a tribe if any  
3 adult living in the proposed adoptive placement has a felony  
4 conviction for child abuse or neglect, spousal abuse, crimes  
5 against a child, including child pornography, or a crime involving  
6 violence. The Division shall, by regulation, define "crime  
7 involving violence" for the purposes of this paragraph. The  
8 definition must include rape, sexual assault and homicide, but  
9 must not include other physical assault or battery.

10 2. The court shall accept an order or judgment for tribal  
11 customary adoption that is filed by the tribe of the Indian child if:

12 (a) The court determines that tribal customary adoption is an  
13 appropriate permanent placement option for the Indian child;

14 (b) The court finds that the tribal customary adoption is in the  
15 best interests of the Indian child, as described in NRS 125E.230;  
16 and

17 (c) The order or judgment:

18 (1) Includes a description of the modification of the legal  
19 relationship of the parents or Indian custodian of the Indian child  
20 and the Indian child, including any contact between the Indian  
21 child and the parents or Indian custodian of the Indian child,  
22 responsibilities of the parents or Indian custodian of the Indian  
23 child and the rights of inheritance of the parents and the Indian  
24 child;

25 (2) Includes a description of the legal relationship of the  
26 Indian child with the tribe; and

27 (3) Does not include any child support obligation from the  
28 parents or Indian custodian of the Indian child.

29 ➔ The court shall afford full faith and credit to a tribal customary  
30 adoption order or judgment that is accepted under this subsection.

31 3. A tribal customary adoptive parent is not required to file a  
32 petition for adoption when the court accepts a tribal customary  
33 adoption order or judgment under subsection 2. The clerk of the  
34 court may not charge or collect a fee for a proceeding under this  
35 subsection.

36 4. After accepting a tribal customary adoption order or  
37 judgment under subsection 2, the court that accepted the order or  
38 judgment shall proceed as provided in NRS 127.150 or section 45  
39 of this act and enter an order of adoption. In addition to the  
40 requirements under NRS 127.151 or section 46 of this act, the  
41 order of adoption must include a statement that any parental  
42 rights or obligations not specified in the order are transferred to  
43 the tribal customary adoptive parents and a description of any  
44 parental rights or duties retained by the parents of the Indian  
45 child, the rights of inheritance of the parents and Indian child and



1 *the legal relationship of the Indian child with the tribe of the*  
2 *Indian child.*

3 5. *A tribal customary adoption under this section does not*  
4 *require the consent of the Indian child or the parents of the Indian*  
5 *child.*

6 6. *Upon the entry of an order of adoption under this section,*  
7 *the jurisdiction of the court over the Indian child terminates.*

8 7. *Any parental rights or obligations not specifically retained*  
9 *by the parents of the Indian child in the order of adoption are*  
10 *conclusively presumed to transfer to the tribal customary adoptive*  
11 *parents.*

12 8. *This section remains operative only to the extent that*  
13 *compliance with the provisions of this section do not conflict with*  
14 *federal law as a condition of receiving funding under Part E of*  
15 *Title IV of the Social Security Act, 42 U.S.C. §§ 601 et seq.*

16 9. *The Division shall adopt regulations requiring that any*  
17 *report regarding a ward who is an Indian child that an agency*  
18 *which provides child welfare services submits to the court,*  
19 *including any home studies, placement reports or other reports*  
20 *required by law, must address tribal customary adoption as a*  
21 *permanency option. The Supreme Court may adopt rules*  
22 *necessary for the court processes to implement the provisions of*  
23 *this section, and the Court Administrator may prepare necessary*  
24 *forms for the implementation of this section.*

25 10. *As used in this section, "tribal customary adoption"*  
26 *means the adoption of an Indian child, by and through the tribal*  
27 *custom, traditions or law of the tribe of the Indian child, and*  
28 *which may be effected without the termination of parental rights.*

29 **Sec. 59.** 1. *Each parent and each prospective adoptive*  
30 *parent of a child for adoption may enter into an enforceable*  
31 *agreement that provides for postadoptive contact between:*

- 32 (a) *The child and a parent;*  
33 (b) *Each adoptive parent and each parent;*  
34 (c) *Any combination of the persons described in paragraphs*  
35 *(a) and (b).*

36 2. *An agreement that provides for postadoptive contact is*  
37 *enforceable if:*

- 38 (a) *The agreement is in writing;*  
39 (b) *The agreement is signed by each prospective adoptive*  
40 *parent;*  
41 (c) *The agreement is signed by each parent before:*  
42 (1) *The termination of the parental rights of the parent;*  
43 (2) *The execution of a relinquishment; or*  
44 (3) *The execution of a specific consent to adoption;*



1 (d) *The agreement is incorporated into an order of adoption;*  
2 *and*

3 (e) *Before the child is adopted:*

4 (1) *The agency which provides child welfare services*  
5 *determines that the agreement is in the best interests of the child;*  
6 *or*

7 (2) *The court determines, after a hearing, that the*  
8 *agreement is in the best interests of the child.*

9 3. *The identity of a parent is not required to be included in an*  
10 *agreement that provides for postadoptive contact, and if such*  
11 *information is withheld, an agent who may receive service of*  
12 *process must be provided in the agreement.*

13 4. *A parent or adoptive parent who enters into an agreement*  
14 *that provides for postadoptive contact shall include in the*  
15 *agreement:*

16 (a) *A physical address at which the parent or adoptive parent*  
17 *may receive service of a petition filed pursuant to section 62 of this*  
18 *act by certified or registered mail, return receipt requested; or*

19 (b) *An electronic mail address at which the parent or adoptive*  
20 *parent may receive service of a petition filed pursuant to section*  
21 *62 of this act.*

22 5. *If a parent or adoptive parent refuses or fails to include a*  
23 *physical address or an electronic mail address in an agreement*  
24 *that provides for postadoptive contact pursuant to subsection 4, the*  
25 *court may, on the date on which the court enters an order of*  
26 *adoption which incorporates the agreement, order the agency*  
27 *which provides child welfare services to provide the court with the*  
28 *physical address of the parent or adoptive parent who refused or*  
29 *failed to include the physical address or electronic mail address.*

30 6. *If a court orders the provision of information pursuant to*  
31 *subsection 5, the court shall:*

32 (a) *Append the physical address to the agreement for*  
33 *postadoptive contact; and*

34 (b) *Make the physical address available to any party to the*  
35 *agreement who wishes to file a petition pursuant to section 62 of*  
36 *this act.*

37 7. *If a parent or adoptive parent changes the physical address*  
38 *or electronic mail address that was included in an agreement that*  
39 *provides for postadoptive contact pursuant to subsection 4, the*  
40 *parent or adoptive parent, as applicable, shall file with the clerk of*  
41 *the court notice of the change not later than 15 days after the*  
42 *change.*

43 8. *A court that enters an order of adoption which*  
44 *incorporates an agreement that provides for postadoptive contact*





1 shall retain jurisdiction to enforce, modify or terminate the  
2 agreement that provides for postadoptive contact until:

- 3 (a) The child reaches 18 years of age;  
4 (b) The child becomes emancipated; or  
5 (c) The agreement is terminated.

6 9. The establishment of an agreement that provides for  
7 postadoptive contact does not affect the rights of an adoptive  
8 parent as the legal parent of the child as set forth in section 49 of  
9 this act.

10 **Sec. 60.** 1. Each prospective adoptive parent who enters  
11 into an agreement that provides for postadoptive contact pursuant  
12 to section 59 of this act shall notify the court responsible for  
13 entering the order of adoption of the existence of the agreement as  
14 soon as practicable after the agreement is established by the  
15 parties, but not later than the time at which the court enters the  
16 order of adoption.

17 2. Each director or other authorized representative of the  
18 agency which provides child welfare services involved in the  
19 adoption proceedings concerning the child and each attorney  
20 representing a prospective adoptive parent, the child or the agency  
21 which provides child welfare service shall, as soon as practicable  
22 after obtaining actual knowledge that a prospective adoptive  
23 parent and a parent have entered into an agreement that provides  
24 for postadoptive contact pursuant to section 59 of this act, notify  
25 the court responsible for entering the order of adoption of the  
26 existence of the agreement.

27 **Sec. 61.** 1. Before a court may enter an order of adoption,  
28 the court must address:

29 (a) Each prospective adoptive parent of the child to be  
30 adopted;

31 (b) Each director or authorized representative of the agency  
32 which provides child welfare services involved in the adoption  
33 proceedings concerning the child; and

34 (c) Each attorney representing a prospective adoptive parent,  
35 the child and the agency which provides child welfare services in  
36 the adoption proceedings concerning the child,

37 and inquire whether the person has actual knowledge that any  
38 prospective adoptive parent and any parent have entered into an  
39 agreement that provides for postadoptive contact pursuant to  
40 section 59 of this act.

41 2. If a court determines that any prospective adoptive parent  
42 and any parent has entered into an agreement that provides for  
43 postadoptive contact pursuant to section 59 of this act, the court  
44 shall:





1 (a) Order the prospective adoptive parent to provide a copy of  
2 the agreement to the court; and

3 (b) Incorporate the agreement into the order of adoption.

4 **Sec. 62.** 1. A parent who has entered into an agreement  
5 that provides for postadoptive contact pursuant to section 59 of  
6 this act may, for good cause shown:

7 (a) Petition the court that entered the order of adoption of the  
8 child to prove the existence of the agreement that provides for  
9 postadoptive contact and to request that the agreement be  
10 incorporated into the order of adoption; and

11 (b) During the period set forth in subsection 2 of section 63 of  
12 this act, petition the court that entered the order of adoption of the  
13 child to enforce the terms of the agreement that provides for  
14 postadoptive contact if the agreement complies with the  
15 requirements of subsection 2 of section 59 of this act.

16 2. An adoptive parent who has entered into an agreement that  
17 provides for postadoptive contact pursuant to section 59 of this act  
18 may:

19 (a) During the period set forth in subsection 2 of section 63 of  
20 this act, petition the court that entered the order of adoption of the  
21 child to enforce the terms of the agreement that provides for  
22 postadoptive contact if the agreement complies with the  
23 requirements of subsection 2 of section 59 of this act; and

24 (b) Petition the court that entered the order of adoption of the  
25 child to modify or terminate the agreement that provides for  
26 postadoptive contact in the manner set forth in section 64 of this  
27 act.

28 3. A petition filed pursuant to this section must be:

29 (a) Filed under the same case number as the proceeding for  
30 adoption;

31 (b) Served by the parent or adoptive parent who filed the  
32 petition upon each other parent or adoptive parent, as applicable,  
33 who has entered into the agreement that provides for postadoptive  
34 contact using the method of service provided pursuant to  
35 subsection 4 or 5 of section 59 of this act; and

36 (c) Heard by:

37 (1) If available, the judge who issued the order of adoption;

38 (2) If the judge described in subparagraph (1) is  
39 unavailable and if a family court has been established in the  
40 judicial district, a judge of the family court; or

41 (3) If the judge described in subparagraph (1) is  
42 unavailable and if a family court has not been established in the  
43 judicial district, any district judge of the judicial district.

44 **Sec. 63.** 1. The failure of a party to comply with the terms  
45 of an agreement that provides for postadoptive contact entered



1 into pursuant to section 59 of this act may not be used as a ground  
2 to:

3 (a) Set aside an order of adoption;

4 (b) Revoke, nullify or set aside a valid specific consent to an  
5 adoption or a relinquishment; or

6 (c) Except as otherwise provided in NRS 41.509, award any  
7 civil damages to a party to the agreement.

8 2. Any action to enforce the terms of an agreement that  
9 provides for postadoptive contact must be commenced not later  
10 than 120 days after the date on which the agreement was breached  
11 by a party.

12 **Sec. 64.** 1. An agreement that provides for postadoptive  
13 contact entered into pursuant to section 59 of this act may only be  
14 modified or terminated by an adoptive parent petitioning the court  
15 that entered the order which included the agreement.

16 2. A court may not grant a request to modify or terminate an  
17 agreement pursuant to subsection 1 unless:

18 (a) The adoptive parent petitioning the court for the  
19 modification or termination establishes that:

20 (1) A change in circumstances warrants the modification or  
21 termination; and

22 (2) The contact provided for in the agreement is no longer  
23 in the best interests of the child; or

24 (b) Each party to the agreement consents to the modification  
25 or termination.

26 3. If an adoptive parent petitions the court for a modification  
27 or termination of an agreement pursuant to this section:

28 (a) There is a presumption that the modification or  
29 termination is in the best interests of the child; and

30 (b) The court may consider the wishes of the child involved in  
31 the agreement.

32 4. Any order issued pursuant to this section to modify an  
33 agreement that provides for postadoptive contact:

34 (a) May limit, restrict, condition or decrease contact between  
35 the parties involved in the agreement; and

36 (b) May not expand or increase the contact between the parties  
37 involved in the agreement or place any new obligation on an  
38 adoptive parent.

39 **Sec. 65.** 1. The Division shall, in consultation with each  
40 agency which provides child welfare services, adopt:

41 (a) Regulations concerning the operation of an agency which  
42 provides child welfare services.

43 (b) Regulations establishing the procedure to be used by an  
44 agency which provides child welfare services in placing children  
45 for adoption, which must allow each parent and each prospective



1 *adoptive parent to determine, by mutual agreement, the amount of*  
2 *identifying information that will be communicated concerning*  
3 *each parent and prospective adoptive parent, respectively.*

4 *(c) Any other regulations necessary to carry out its powers and*  
5 *duties regarding the adoption of children or the placement of*  
6 *children for adoption or permanent free care, including, without*  
7 *limitation, such regulations necessary to ensure compliance with*  
8 *the provisions of this chapter and any regulations adopted*  
9 *pursuant thereto.*

10 *2. Each agency which provides child welfare services shall*  
11 *conform to the standards established and the regulations adopted*  
12 *pursuant to subsection 1.*

13 **Sec. 66. 1. Except as otherwise provided in this section:**

14 *(a) In a county whose population is less than 100,000, the*  
15 *Division shall, in accordance with NRS 432.014; and*

16 *(b) In a county whose population is 100,000 or more, the*  
17 *board of county commissioners of the county shall, by ordinance,*  
18 *↪ charge reasonable fees for the services provided by an agency*  
19 *which provides child welfare services in placing, arranging the*  
20 *placement of or assisting in placing or arranging the placement of*  
21 *any child for adoption, and for conducting a home study.*

22 *2. The fees charged pursuant to subsection 1 must vary based*  
23 *on criteria developed by the Division and board of county*  
24 *commissioners but must not exceed the usual and customary fees*  
25 *that child-placing agencies in the area where the services are*  
26 *provided, or in a similar geographic area, would charge for those*  
27 *services.*

28 *3. The Division and board of county commissioners shall not*  
29 *discriminate between adoptions made through an agency which*  
30 *provides child welfare services and other adoptions in setting the*  
31 *fees pursuant to subsection 1.*

32 *4. A fee described in subsection 1 must not be charged for*  
33 *services related to the adoption of a child with special needs.*

34 *5. An agency which provides child welfare services may waive*  
35 *or reduce any fee charged pursuant to this section if the agency*  
36 *which provides child welfare services determines that the adoptive*  
37 *parents are not able to pay the fee or the needs of the child require*  
38 *a waiver or reduction of the fee.*

39 *6. Any money that is collected by an agency which provides*  
40 *child welfare services in a county whose population is less than*  
41 *100,000 pursuant to this section must be accounted for in the*  
42 *appropriate account of the Division and may only be used to pay*  
43 *for the costs of any adoptive or postadoptive services provided by*  
44 *any agency which provides child welfare services in a county*  
45 *whose population is less than 100,000.*



1       7. Any money collected by an agency which provides child  
2 welfare services in a county whose population is 100,000 or more  
3 pursuant to this section must be deposited in the county treasury  
4 for the credit of the agency which provides child welfare services  
5 and may only be used to pay for the costs of any adoption or  
6 postadoptive services provided by the agency which provides child  
7 welfare services.

8       **Sec. 67. 1.** Except as otherwise provided in subsection 3, an  
9 agency which provides child welfare services shall conduct a study  
10 of the home of a prospective adoptive parent to determine the  
11 suitability of the home for placement of a child for adoption.

12       2. In conducting the study of the home pursuant to  
13 subsection 1, the agency which provides child welfare services  
14 shall investigate the medical, mental, financial and moral  
15 background of the prospective adoptive parent and any other  
16 relevant factor relating to the qualifications of the prospective  
17 adoptive parent.

18       3. If the home of a prospective adoptive parent is located  
19 outside of this State and the child for adoption is not related to the  
20 prospective adoptive parent by blood within the third degree of  
21 consanguinity, an agency which provides child welfare services  
22 must receive a copy of a report from the appropriate authority in  
23 that state of an investigation of the home of the prospective  
24 adoptive parent and the medical, mental, financial and moral  
25 background of the prospective adoptive parent, which must be  
26 used by the agency which provides child welfare services to  
27 determine the suitability of the home for placement of the child for  
28 adoption.

29       **Sec. 68. 1.** A prospective adoptive parent who is subject to a  
30 home study shall submit as part of the home study a complete set  
31 of fingerprints and written permission authorizing the agency  
32 which provides child welfare services to forward those fingerprints  
33 to the Central Repository for Nevada Records of Criminal History  
34 for submission to the Federal Bureau of Investigation for its  
35 report.

36       2. The agency which provides child welfare services may  
37 exchange with the Central Repository or the Federal Bureau of  
38 Investigation any information respecting the fingerprints  
39 submitted pursuant to subsection 1.

40       3. When a report from the Federal Bureau of Investigation is  
41 received by the Central Repository, it must immediately forward a  
42 copy of the report to the agency which provides child welfare  
43 services that submitted the fingerprints pursuant to subsection 1.

44       4. Any fees for fingerprinting and submission to the Central  
45 Repository and the Federal Bureau of Investigation required by



1 *this section must be paid by the prospective adoptive parent, except*  
2 *that:*

3 (a) *In a county whose population is less than 100,000, the*  
4 *Division may adopt regulations providing for the payment of those*  
5 *fees by the Division; or*

6 (b) *In a county whose population is 100,000 or more, the*  
7 *board of county commissioners may provide by ordinance for the*  
8 *payment of those fees by the agency which provides child welfare*  
9 *services.*

10 **Sec. 69. 1.** *The Division, in consultation with each agency*  
11 *which provides child welfare services, shall adopt regulations*  
12 *setting forth the criteria to be used by an agency with provides*  
13 *child welfare services for determining whether a prospective*  
14 *adoptive home is suitable or unsuitable for the placement of a*  
15 *child for adoption.*

16 2. *Upon completion of a home study, the agency which*  
17 *provides child welfare services must inform each prospective*  
18 *adoptive parent of the initial results of the home study.*

19 3. *If, pursuant to the home study, an initial determination is*  
20 *made that a prospective adoptive home is unsuitable for placement*  
21 *or detrimental to the interest of the child, the agency which*  
22 *provides child welfare services must provide each prospective*  
23 *adoptive parent with an opportunity to review and respond to the*  
24 *home study with the agency which provides child welfare services*  
25 *before the issuance of the official results of the home study.*

26 4. *Except as otherwise provided in NRS 239.0115, the identity*  
27 *of a person who is interviewed or submits information concerning*  
28 *a home study must remain confidential.*

29 5. *An agency which provides child welfare services shall not*  
30 *determine that a prospective adoptive home is unsuitable for*  
31 *placement or detrimental to the interest of the child solely because*  
32 *a prospective adoptive parent:*

33 (a) *Is deaf, is blind or has another physical disability; or*

34 (b) *Is the holder of a valid registry identification card.*

35 **Sec. 70. 1.** *If an agency which provides child welfare*  
36 *services believes that a person has violated or is about to violate*  
37 *this chapter, in addition to any other penalty or remedy provided*  
38 *by law, the agency which provides child welfare services may*  
39 *petition the appropriate district court for an order to restrain and*  
40 *enjoin the violation or threatened violation of this chapter, or to*  
41 *compel compliance with this chapter.*

42 2. *If an agency which provides child welfare services files a*  
43 *petition described in subsection 1 and a court determines that a*  
44 *child has been or was about to be placed in a prospective adoptive*  
45 *home in violation of this chapter, the court may prohibit the*



1 *placement if the child was about to be so placed, or order the*  
2 *removal of the child if the child was so placed within 6 months*  
3 *before the filing of the petition by the agency which provides child*  
4 *welfare services.*

5 **Sec. 71. 1.** *If an agency which provides child welfare*  
6 *services believes that a person has received for the purposes of*  
7 *adoption or permanent free care a child not related by blood to the*  
8 *person and the agency which provides child welfare services does*  
9 *not file a petition pursuant to section 70 of this act, the agency*  
10 *which provides child welfare services shall investigate the*  
11 *prospective adoptive home.*

12 **2.** *Upon the completion of the investigation required*  
13 *pursuant to subsection 1, if the prospective adoptive home is found*  
14 *suitable for the child, each prospective adoptive parent must be*  
15 *allowed 6 months from the date of completion of the investigation*  
16 *to file a petition for adoption.*

17 **3.** *If a prospective adoptive parent does not file a petition for*  
18 *adoption as prescribed by subsection 2, a license as a foster home*  
19 *must be issued pursuant to NRS 424.030 if the home meets*  
20 *established standards.*

21 **4.** *If, in the opinion of the agency which provides child*  
22 *welfare services, the placement is detrimental to the interest of the*  
23 *child, the agency which provides child welfare services must file*  
24 *an application with the district court for an order for the removal*  
25 *of the child from the home.*

26 **5.** *If the court determines that the child should be removed*  
27 *from the prospective adoptive home, the court may nullify the*  
28 *written specific consent to adoption and order the return of*  
29 *the child to the care and control of the parent who executed the*  
30 *consent, but if the parental rights of the parent have been*  
31 *terminated by a relinquishment or a final order of a court of*  
32 *competent jurisdiction or if the parent does not wish to accept the*  
33 *child, the court may order the placement of the child with the*  
34 *agency which provides child welfare services for adoption.*

35 **Sec. 72.** *An agency which provides child welfare services*  
36 *shall, to the extent practicable, give preference to the placement of*  
37 *a child for adoption or permanent free care together with the*  
38 *siblings of the child.*

39 **Sec. 73. 1.** *If a child who is in the custody of an agency*  
40 *which provides child welfare services is placed for adoption, the*  
41 *agency which provides child welfare services must provide the*  
42 *court which is conducting the adoption proceedings with a copy of*  
43 *any order for visitation with a sibling of the child that was issued*  
44 *pursuant to NRS 432B.580.*



1       2.   *The court shall incorporate an order for visitation provided*  
2 *to the court pursuant to subsection 1 into the order of adoption*  
3 *unless, not later than 30 days after notice of the filing of the*  
4 *petition for adoption is provided to all legal custodians or*  
5 *guardians of the child who are required to be provided with such*  
6 *notice pursuant to section 41 of this act, any interested party in the*  
7 *adoption, including, without limitation, the prospective adoptive*  
8 *parent, the adoptive child, a sibling of the adoptive child or the*  
9 *agency which provides child welfare services petitions the court to*  
10 *exclude the order for visitation with a sibling from the order of*  
11 *adoption or amend the order for visitation before including the*  
12 *order for visitation in the order of adoption.*

13       3.   *The hearing on a petition to exclude or amend the order*  
14 *for visitation submitted pursuant to subsection 2 must be held on*  
15 *the same day as the hearing on the petition for adoption.*

16       4.   *Any interested party is entitled to participate in the hearing*  
17 *on the petition to exclude or amend the order for visitation*  
18 *submitted pursuant to subsection 2.*

19       5.   *The clerk of the court shall give written notice of the time*  
20 *and place of the hearing on the petition to exclude or amend the*  
21 *order for visitation submitted pursuant to subsection 2 to each*  
22 *prospective adoptive parent, the adoptive child, a sibling of the*  
23 *adoptive child, the attorney for the adoptive child or a sibling of*  
24 *the adoptive child and the agency which provides child welfare*  
25 *services.*

26       6.   *Upon the petition of a sibling requesting the inclusion of*  
27 *an order for visitation in the order of adoption, the court may*  
28 *require the agency which provides child welfare services to*  
29 *provide the clerk of the court with the contact information of each*  
30 *prospective adoptive parent, the adoptive child and the attorney for*  
31 *the adoptive child.*

32       7.   *If an agency which provides child welfare services is*  
33 *ordered to provide contact information pursuant to subsection 6,*  
34 *the agency which provides child welfare services must provide*  
35 *such contact information under seal.*

36       8.   *The sole consideration of the court in making a*  
37 *determination concerning visitation with a sibling pursuant to this*  
38 *section is the best interests of the child.*

39       9.   *If a petition to amend or exclude an order for visitation is*  
40 *submitted pursuant to subsection 2, the court must not enter an*  
41 *order of adoption until the court has made a determination*  
42 *concerning visitation with a sibling.*

43       10. *If an order for visitation with a sibling is included in an*  
44 *order of adoption, the court shall, upon the request of a party to*  
45 *the order for visitation, provide to the party the case number of the*





1 *adoption proceeding and any documents or records necessary to*  
2 *enforce, modify or terminate the order for visitation.*

3 *11. A party to an order for visitation with a sibling may*  
4 *petition for enforcement, modification or termination of the order*  
5 *at any time while the order is in effect.*

6 *12. A person who fails to comply with an order for visitation*  
7 *with a sibling is in contempt of court.*

8 *13. If a party to an order for visitation with a sibling*  
9 *withholds the contact information of any person in violation of the*  
10 *order, the court may order the agency which provides child*  
11 *welfare services to provide such contact information to the court*  
12 *under seal.*

13 **Sec. 74.** *An agency which provides child welfare services*  
14 *may post on an Internet website, publish in a newspaper in this*  
15 *State or broadcast by television a photograph of and relevant*  
16 *personal information concerning a child who is available for*  
17 *adoption.*

18 **Sec. 75.** *1. Except as otherwise provided in subsection 2, if*  
19 *an adoption would be governed by the provisions of this chapter,*  
20 *an attorney licensed to practice law in this State or in any other*  
21 *state may not receive compensation for:*

22 *(a) Taking part in finding a child for adoption;*

23 *(b) Finding a person to adopt a child.*

24 *2. An attorney licensed to practice law in this State or in any*  
25 *other state may receive reasonable compensation for legal services*  
26 *provided in relation to adoption proceedings governed by the*  
27 *provisions of this chapter.*

28 *3. An agency which provides child welfare services shall*  
29 *report a violation of subsection 1 to:*

30 *(a) The State Bar of Nevada if the alleged violator is licensed*  
31 *to practice law in this State; or*

32 *(b) The bar association of the state in which the alleged*  
33 *violator is licensed to practice law.*

34 *4. A person who violates the provisions of subsection 1 is*  
35 *guilty of a misdemeanor.*

36 **Sec. 76.** *NRS 125E.210 is hereby amended to read as follows:*

37 *125E.210 1. Except if the person already knows that a child*  
38 *is an Indian child, whenever a person is required in a child custody*  
39 *proceeding to determine whether there is reason to know that the*  
40 *child is an Indian child, the person shall make a good faith effort to*  
41 *determine whether the child is an Indian child, including, without*  
42 *limitation, by consulting with:*

43 *(a) The child;*

44 *(b) ~~[The child's]~~ Any parent ~~[or parents:]~~ of the child;*





1 (c) Any person having custody of the child or with whom the  
2 child resides;

3 (d) Extended family members of the child;

4 (e) Any other person who may reasonably be expected to have  
5 information regarding the [child's] membership or eligibility for  
6 membership *of the child* in an Indian tribe; and

7 (f) Any Indian tribe of which the child may be a member or of  
8 which the child may be eligible for membership.

9 2. A court or person has reason to know that a child in a child  
10 custody proceeding is an Indian child if:

11 (a) The person knows that the child is an Indian child;

12 (b) The court has found that the child is an Indian child or that  
13 there is reason to know that the child is an Indian child;

14 (c) Any person present in the proceeding, officer of the court  
15 involved in the proceeding, Indian tribe, Indian organization or  
16 agency informs the court or the person that the child is an Indian  
17 child or that information has been discovered indicating that the  
18 child is an Indian child;

19 (d) The child indicates to the court or the person that the child is  
20 an Indian child;

21 (e) The court or the person is informed that the domicile or  
22 residence of the child, the [child's] parent *of the child* or the  
23 [child's] Indian custodian *of the child* is on a reservation or in an  
24 Alaska Native village;

25 (f) The court or the person is informed that the child is or has  
26 been a ward of a tribal court;

27 (g) The court or the person is informed that the child or the  
28 [child's] parent *of the child* possesses an identification card or other  
29 record indicating membership in an Indian tribe;

30 (h) Testimony or documents presented to the court indicate in  
31 any way that the child may be an Indian child; or

32 (i) Any other indicia provided to the court or the person, or  
33 within the knowledge of the court or the person, indicates that the  
34 child is an Indian child.

35 3. Except as otherwise provided in [NRS 127.1867.] *section 57*  
36 *of this act*, whenever a person is required to demonstrate to the court  
37 in a child custody proceeding that the person made efforts to  
38 determine whether a child is an Indian child, the court shall make  
39 written findings regarding whether the person satisfied the inquiry  
40 requirements under subsection 1 and whether the child is an Indian  
41 child or whether there is reason to know that the child is an Indian  
42 child. At the commencement of any hearing in an emergency  
43 proceeding or a child custody proceeding, unless the court  
44 previously found that the child is an Indian child, the court shall ask,  
45 on the record, each person present on the matter whether the person



1 has reason to know that the child is an Indian child and shall make a  
2 finding regarding whether there is reason to know that the child is  
3 an Indian child.

4 4. If the court finds under subsection 3 that there is:

5 (a) Reason to know that the child is an Indian child but the court  
6 does not have sufficient evidence to find that the child is an Indian  
7 child, the court shall order that the inquiry as to whether the child is  
8 an Indian child continue until the court finds that the child is not an  
9 Indian child.

10 (b) Not reason to know that the child is an Indian child, the court  
11 shall order each party to immediately inform the court if the party  
12 receives information providing reason to know that the child is an  
13 Indian child.

14 5. If the court finds under subsection 3 that there is reason to  
15 know that the child is an Indian child but the court does not have  
16 sufficient evidence to make a finding that the child is or is not an  
17 Indian child, the court shall require the appropriate agency or other  
18 party to submit a report, declaration or testimony on the record that  
19 the agency or other party used due diligence to identify and work  
20 with all of the tribes of which the child may be a member or in  
21 which the child may be eligible for membership to verify whether  
22 the child is a member or is eligible for membership.

23 6. A person making an inquiry under this section shall request  
24 that any tribe receiving information under this section keep  
25 documents and information regarding the inquiry confidential.

26 **Sec. 77.** Chapter 127 of NRS is hereby amended by adding  
27 thereto the provisions set forth as sections 78 to 105, inclusive, of  
28 this act.

29 **Sec. 78.** *As used in this chapter, unless the context otherwise*  
30 *requires, the words and terms defined in sections 79 to 98,*  
31 *inclusive, of this act have the meanings ascribed to them in those*  
32 *sections.*

33 **Sec. 79.** *“Adult” means a person who is at least 18 years of*  
34 *age.*

35 **Sec. 80.** *“Agency which provides child welfare services” has*  
36 *the meaning ascribed to it in NRS 432B.030.*

37 **Sec. 81.** *“Child” means a person who is less than 18 years of*  
38 *age.*

39 **Sec. 82.** *“Child-placing agency” means a nonprofit*  
40 *corporation organized pursuant to chapter 82 of NRS, and*  
41 *licensed by the Division to place children for adoption or*  
42 *permanent free care.*

43 **Sec. 83.** *“Child with special needs” means a child for whom*  
44 *placement with an adoptive parent is, in the opinion of the*  
45 *Administrator of the Division or the designee of the Administrator,*



1 *made more difficult because of the age, race or number of siblings*  
2 *of the child, or because the child suffers from a severe or chronic*  
3 *medical, physical, mental or emotional condition.*

4 **Sec. 84.** *“Closed-family adoption” means an adoption where*  
5 *a prospective adoptive parent or the spouse of a prospective*  
6 *adoptive parent is related to the child being adopted by blood*  
7 *within the third degree of consanguinity.*

8 **Sec. 85.** *“Confirmatory adoption” means an adoption where*  
9 *the petitioner is already the legal or presumptive parent of the*  
10 *child and is requesting confirmation of parentage through such*  
11 *adoption.*

12 **Sec. 86.** *“Division” means the Division of Child and Family*  
13 *Services of the Department of Health and Human Services.*

14 **Sec. 87.** *“Home study” means a study of the home of a*  
15 *prospective adoptive parent conducted in accordance with*  
16 *NRS 127.2805.*

17 **Sec. 88.** *“Identified adoption” means an adoption facilitated*  
18 *by a child-placing agency in which:*

19 1. *The child being adopted is not related by blood within the*  
20 *third degree of consanguinity to any of the prospective adoptive*  
21 *parents;*

22 2. *A parent of the child being adopted knows at least one of*  
23 *the prospective adoptive parents; and*

24 3. *The knowledge described in paragraph (b) was not caused*  
25 *by the actions of a child-placing agency.*

26 **Sec. 89.** *“Indian child” has the meaning ascribed to it in*  
27 *NRS 125E.080.*

28 **Sec. 90.** *“Order of adoption” means a final judgment*  
29 *concerning a petition for adoption. The term includes a decree for*  
30 *adoption.*

31 **Sec. 91.** *“Parent” means:*

32 1. *A natural or legal parent whose parental rights have not*  
33 *been terminated.*

34 2. *A person who is alleged or reputed to be the natural parent*  
35 *of a child but whose parentage has not been legally established.*

36 3. *A person whose parentage has been established pursuant*  
37 *to chapter 126 of NRS or by court order.*

38 **Sec. 92.** *“Post-placement investigation” means an*  
39 *investigation conducted pursuant to NRS 127.120.*

40 **Sec. 93.** *“Prospective adoptive parent” means a person who*  
41 *has filed or intends to file a petition for adoption.*

42 **Sec. 94.** *“Readoption” means an adoption where the*  
43 *petitioner has previously obtained an order of adoption for the*  
44 *child from a court of another country.*



1     **Sec. 95.** *“Relinquishment” means a document executed by a*  
2 *person described in NRS 127.040 acknowledging the consent of*  
3 *that person to place the child for adoption with a child-placing*  
4 *agency.*

5     **Sec. 96.** *“Specific consent to adoption” means a document*  
6 *executed by a person described in NRS 127.040 acknowledging the*  
7 *consent of the person to the adoption of a child by each*  
8 *prospective adoptive parent specified in a petition for adoption.*

9     **Sec. 97.** *“Spouse” means a marital partner, domestic partner*  
10 *or civil partner or person sharing similar rights, benefits, and*  
11 *protections to such persons.*

12     **Sec. 98.** *“State Register for Designated Adoptions” means*  
13 *the State Register for Designated Adoptions established by*  
14 *NRS 127.007.*

15     **Sec. 99. 1.** *Notwithstanding any other provision of law, a*  
16 *petitioner may file a petition for and a court may issue an order*  
17 *for confirmatory adoption in accordance with the provisions of*  
18 *this section.*

19     **2.** *If a child was born in this State, a petition for confirmatory*  
20 *adoption may be filed at any time after the birth of the child.*

21     **3.** *A petition for confirmatory adoption must include:*

22     **(a)** *The information described in paragraphs (a) to (f),*  
23 *inclusive, and (j) of subsection 2 of NRS 127.110;*

24     **(b)** *A description of how parentage was already established by*  
25 *petitioner; and*

26     **(c)** *A copy of one of the following documents:*

27     **(1)** *The certificate of birth of the child, listing the petitioner*  
28 *as a legal parent;*

29     **(2)** *A court order establishing the parentage of the child; or*

30     **(3)** *Other evidence that the court deems sufficient to*  
31 *establish parentage of the child.*

32     **4.** *A court may issue an order for confirmatory adoption if it*  
33 *confirms that each petitioner is a legal parent of the child, and*  
34 *may order the name of the child changed if so requested in the*  
35 *petition for confirmatory adoption.*

36     **5.** *A document submitted pursuant to paragraph (c) of*  
37 *subsection 3 is confidential and must not be made a matter of*  
38 *public record, but must be given in writing and in confidence to*  
39 *the district judge before whom the matter is pending.*

40     **6.** *A specific consent to adoption, relinquishment, home study*  
41 *or post-placement investigation is not required in a proceeding for*  
42 *confirmatory adoption.*

43     **Sec. 100. 1.** *Notwithstanding any other provision of law, a*  
44 *person and the spouse of a person who adopts a child through an*  
45 *intercountry adoption that is finalized in a foreign country may*



1 *petition for and a court may issue an order for readoption in*  
2 *accordance with the provisions of this section.*

3 2. *A petition for readoption must contain:*

4 (a) *The information described in paragraphs (a) to (f),*  
5 *inclusive, and (j) of subsection 2 of NRS 127.110;*

6 (b) *A copy of a decree, order or certificate of adoption that*  
7 *evidences finalization of the adoption in a foreign country;*

8 (c) *The certificate of birth of the child; and*

9 (d) *A certified translation of any document that is not in the*  
10 *English language.*

11 3. *After an order for readoption adoption has been entered,*  
12 *the petitioner or the attorney of the petitioner shall prepare a*  
13 *report of readoption on a form prescribed and furnished by the*  
14 *State Registrar of Vital Statistics and forward that report to the*  
15 *State Registrar of Vital Statistics.*

16 4. *The report of readoption must:*

17 (a) *Identify the original certificate of birth of the child;*

18 (b) *Provide sufficient information to prepare a new certificate*  
19 *of birth for the person adopted;*

20 (c) *Identify the order for readoption; and*

21 (d) *Be certified by the clerk of the court.*

22 5. *A home study or post-placement investigation is not*  
23 *required in a proceeding for readoption.*

24 **Sec. 101.** 1. *A petition for a closed-family adoption, an*  
25 *identified adoption or an adoption other than those described in*  
26 *sections 99 and 100 of this act must include one of the following*  
27 *documents for each parent:*

28 (a) *An order of a court of competent jurisdiction terminating*  
29 *parental rights;*

30 (b) *A relinquishment;*

31 (c) *A specific consent to adoption;*

32 (d) *A certificate of death or other evidence sufficient to satisfy*  
33 *the court of the death of a parent; or*

34 (e) *Any evidence sufficient to satisfy a court of the termination*  
35 *of parental rights through a birth father registry in another state.*

36 **Sec. 102.** *If a parent is considering consenting to an*  
37 *identified adoption, a child-placing agency must:*

38 1. *For the purpose of ensuring that the decision of the parent*  
39 *to consent to the adoption of the child is made without coercion*  
40 *and is not made under duress or undue influence, provide the*  
41 *parent with information regarding:*

42 (a) *The adoption process;*

43 (b) *The State Register for Designated Adoptions;*

44 (c) *Any counseling services that are available to parents; and*

45 (d) *Any alternatives to adoption;*



1       2. Obtain from the parent information regarding the  
2 background of the biological family of the parent for two or three  
3 generations, including any:

4       (a) Occurrence of any childhood diseases or serious illnesses.

5       (b) Psychiatric and psychological histories.

6       (c) Demographic information and social history.

7       (d) Use of drugs.

8       (e) Misuse of alcohol.

9       (f) Blood types.

10       (g) Congenital deformities.

11       (h) Prenatal history, including, without limitation, information  
12 concerning the biological mother's use of alcohol, drugs, tobacco  
13 and prescription medications during her pregnancy.

14       (i) Other pertinent information to the child-placing agency.

15       3. If the child has already been born, obtain information  
16 from the parent regarding:

17       (a) The developmental and medical history of the child.

18       (b) The educational and social development of the child.

19       (c) The personal relationship between the child and the  
20 parents, including their attitudes toward one another.

21       (d) Any religious affiliation of the child.

22       4. Advise the parent that the home study of the prospective  
23 adoptive parent is available for review before execution of a  
24 specific consent to adoption.

25       5. Maintain a case file with a record of the information  
26 obtained and services provided to the parent.

27       **Sec. 103.** 1. An attesting witness to a relinquishment  
28 required by NRS 127.053 may make and sign an affidavit before  
29 any person authorized to administer oaths in this State, stating  
30 such facts as they would be required to testify to in court to prove  
31 the due execution of the relinquishment.

32       2. The affidavit described in subsection 1 must be written on  
33 the relinquishment or, if that is impracticable, on some paper  
34 attached thereto.

35       3. The sworn statement of any witness described in subsection  
36 1 must be accepted by the court in any action or proceeding  
37 relating to the validity or due execution of the relinquishment as if  
38 it had been taken before the court.

39       4. The affidavit described in subsection 1 may be  
40 substantially in the following form:







1       2. *The declaration described in subsection 1 must be*  
2 *notarized and signed by the prospective adoptive parent and*  
3 *furnished to:*

4       (a) *Each parent;*

5       (b) *If a petition for adoption was filed by the prospective*  
6 *adoptive parent, to the court in which the petition was filed; and*

7       (c) *The child-placing agency.*

8       3. *Upon execution of the declaration described in subsection*  
9 *1, the prospective adoptive parent shall release the child to the*  
10 *custody of:*

11       (a) *A parent, if so desired by the parent; or*

12       (b) *If a parent declines to accept custody of the child, the*  
13 *child-placing agency.*

14       4. *If a prospective adoptive parent executes a declaration to*  
15 *surrender, the specific consent to adoption naming the prospective*  
16 *adoptive parent is void.*

17       **Sec. 105. 1.** *If a child-placing agency learns that a court of*  
18 *competent jurisdiction has determined that a person has parental*  
19 *rights to a child for whom a relinquishment has been executed, the*  
20 *child-placing agency must:*

21       (a) *Immediately withdraw a petition for termination of*  
22 *parental rights, if applicable; and*

23       (b) *Execute a declaration surrendering the relinquishment.*

24       2. *A declaration described in subsection 1 must be notarized*  
25 *and signed by the child-placing agency and furnished to a court of*  
26 *competent jurisdiction.*

27       3. *If a child-placing agency executes a declaration to*  
28 *surrender, the relinquishment is void and obligations to the child*  
29 *are restored to the parent.*

30       **Sec. 106.** NRS 127.005 is hereby amended to read as follows:

31       127.005 ~~[The] 1. Except as otherwise provided in subsection~~  
32 ~~2, the provisions of [NRS 127.010 to 127.1895, inclusive,] this~~  
33 ~~chapter govern the adoption of [minor] children. [, and the]~~

34       2. *This chapter does not apply to adoption proceedings for*  
35 *children who are in the custody of an agency which provides child*  
36 *welfare services governed by sections 2 to 75, inclusive, of this act.*

37       3. *The provisions of NRS 127.190, 127.200 and 127.210 and*  
38 *the provisions of NRS 127.010 to 127.1895, inclusive, and sections*  
39 *99 to 105, inclusive, of this act, where not inconsistent with the*  
40 *provisions of NRS 127.190, 127.200 and 127.210, govern the*  
41 *adoption of adults.*

42       **Sec. 107.** NRS 127.007 is hereby amended to read as follows:

43       127.007 1. The Division shall maintain the State Register for  
44 *Designated* Adoptions, which is hereby established, in its central  
45 office to provide information to identify ~~[adults who were]~~ :



1 (a) *Designated* adopted *persons*; and ~~persons~~  
2 (b) *Persons who are* related ~~to them~~ *by blood* within the third  
3 degree of consanguinity ~~to designated adopted persons~~.

4 2. ~~The~~ *Except as otherwise provided in subsection 3, the*  
5 *State Register for Designated* Adoptions consists of:

6 (a) ~~Names~~ *The names* and other information, which the  
7 Administrator of the Division deems to be necessary for the  
8 operation of the *State* Register, relating to persons who have  
9 released a child for adoption or have consented to the adoption of a  
10 child, or whose parental rights have been terminated by a court of  
11 competent jurisdiction, and who have submitted the information  
12 voluntarily to the Division;

13 (b) ~~Names~~ *The names* and other necessary information of  
14 *designated adopted* persons ~~who are 18 years of age or older, who~~  
15 ~~were adopted and~~ who have submitted the information voluntarily  
16 to the Division; and

17 (c) ~~Names~~ *The names* and other necessary information of  
18 persons who are related *by blood* within the third degree of  
19 consanguinity to *designated* adopted persons, and who have  
20 submitted the information voluntarily to the Division.

21 ~~Any~~

22 3. A person whose name appears in the *State* Register may  
23 withdraw it by requesting in writing that it be withdrawn. The  
24 Division shall immediately withdraw ~~a~~ *the* name upon receiving a  
25 request to do so, and may not thereafter release any information to  
26 identify that person, including the information that such a name was  
27 ever in the *State* Register.

28 ~~3.~~ 4. Except as otherwise provided in subsection ~~4.~~ 5, the  
29 Division may release information ~~:~~

30 ~~(a) About~~ *about* a person *who is* related *by blood* within the  
31 third degree of consanguinity to ~~an~~ *a designated* adopted person  
32 ~~;~~ or ~~:~~

33 ~~(b) About an~~ *about a designated* adopted person to a person  
34 *who is* related *by blood* within the third degree of consanguinity ~~:~~

35 ~~;~~ if the names and information about both persons are contained in  
36 the *State* Register and written consent for the release of such  
37 information is given by ~~the natural~~ *a* parent ~~:~~

38 ~~4. An~~ *of the designated adopted person*.

39 5. A *designated* adopted person may, by submitting a written  
40 request to the Division, restrict the release of any information  
41 concerning ~~himself or herself~~ *the designated adopted person* to  
42 one or more categories of ~~relatives~~ *persons who are related by*  
43 *blood* within the third degree of consanguinity ~~to the designated~~  
44 *adopted person*.



1       6. *The Division shall transfer any information contained in*  
2 *the State Register for Designated Adoptions to the State Register*  
3 *for Adoptions of Children Who Were in the Custody of an Agency*  
4 *Which Provides Child Welfare Services established by section 19*  
5 *of this act if the information qualifies for inclusion in that*  
6 *Register.*

7       7. *As used in this section, "designated adopted person"*  
8 *means, except as otherwise provided in section 19 of this act, an*  
9 *adult who was adopted as a child pursuant to the provisions of this*  
10 *chapter.*

11       **Sec. 108.** NRS 127.008 is hereby amended to read as follows:

12       127.008 1. The Division shall establish a Register of  
13 Children with Special Needs. ~~[The]~~

14       2. *Except as otherwise provided in section 20 of this act, the*  
15 *Register must include descriptive information on every child with*  
16 *special needs for whom a prospective adoptive parent is not*  
17 *identified within 3 months after the child becomes available for*  
18 *adoption ~~[, but must]~~ pursuant to the provisions of this chapter.*

19       3. *The Register must* not include any personal information  
20 which reveals the identity of ~~[the]~~ *a child with special needs*  
21 *described in subsection 2* or ~~[the child's parents.]~~ *a parent of the*  
22 *child.*

23       4. A copy of the Register must be made available for review by  
24 prospective adoptive parents at each office of the Division.

25       ~~[2.— As used in this section, "child with special needs" means a~~  
26 ~~child for whom placement with an adoptive parent is, in the opinion~~  
27 ~~of the Administrator of the Division or his or her designee, made~~  
28 ~~more difficult because of the child's age, race or number of siblings,~~  
29 ~~or because the child suffers from a severe or chronic medical,~~  
30 ~~physical, mental or emotional condition.]~~

31       5. *The Division shall transfer any information contained in*  
32 *the Register to the Register of Children with Special Needs Who*  
33 *are in the Custody of an Agency Which Provides Child Welfare*  
34 *Services established by section 20 of this act if the information*  
35 *qualifies for inclusion in that Register.*

36       **Sec. 109.** NRS 127.009 is hereby amended to read as follows:

37       127.009 1. The Division shall prepare a booklet on adoption  
38 ~~[in this state]~~ *proceedings conducted pursuant to this chapter,*  
39 which ~~[includes]~~ *must include* the following information:

- 40       (a) The legal basis of adoption;  
41       (b) The purpose of adoption;  
42       (c) The process of adoption;  
43       (d) The number of children who are waiting to be adopted,  
44 including statistical information regarding:



1 (1) The gender and ethnic background of the children who  
2 are waiting to be adopted;

3 (2) The number of children placed in foster homes who are  
4 waiting to be adopted;

5 (3) The number of children with special needs who are  
6 waiting to be adopted; and

7 (4) The number of siblings who are waiting to be adopted;  
8 (e) The name and location of *child-placing* agencies ; ~~##~~  
9 ~~Nevada that place children with adoptive parents;}~~

10 (f) The number of prospective adoptive parents;

11 (g) A comparison of ~~{Nevada}~~ *this State* to the surrounding  
12 states regarding the placement of children with adoptive parents;

13 (h) A comparison of the Division to other *child-placing*  
14 agencies ~~{located in Nevada}~~ regarding the placement of children  
15 with adoptive parents; and

16 (i) Any subsidies, assistance and other services that may be  
17 available to adoptive parents and prospective adoptive parents,  
18 including, without limitation, services for children with special  
19 needs.

20 2. The Division shall:

21 (a) Revise the information in the booklet annually ~~{.}~~ ; *and*

22 (b) Distribute the booklet to ~~{persons and organizations}~~ :

23 (1) *Persons* whose patients or clients are likely to become  
24 involved with ~~{the process of}~~ adoption ~~{in this state. The booklet~~  
25 ~~must also be distributed to prospective}~~ *proceedings conducted*  
26 *pursuant to this chapter;*

27 (2) *Prospective* adoptive parents ~~{and natural parents giving~~  
28 ~~children up for}~~ ; *and*

29 (3) *Parents who are considering relinquishing for or*  
30 *consenting to* adoption.

31 3. The Division may accept gifts and grants to assist in the  
32 production and distribution of the booklet.

33 **Sec. 110.** NRS 127.010 is hereby amended to read as follows:

34 127.010 Except as otherwise provided in NRS 125E.270, the  
35 district courts of this State have original jurisdiction in adoption  
36 proceedings ~~{}~~ *conducted pursuant to this chapter.*

37 **Sec. 111.** NRS 127.018 is hereby amended to read as follows:

38 127.018 1. Except as otherwise provided in *chapter 125E of*  
39 *NRS*, NRS ~~{125E.010 to 125E.370, inclusive.}~~ 127.041, 127.115,  
40 127.151 , ~~{and}~~ 127.1861 ~~{to 127.1869, inclusive.}~~ , *127.1863 and*  
41 *127.1865 and section 99 of this act*, a child of whom this State:

42 (a) Is the home state on the date of the commencement of the  
43 proceeding; or

44 (b) Was the home state within 6 months before the  
45 commencement of the proceeding,



1 ↪ may not be adopted except upon an order of a district court in this  
2 State.

3 2. As used in this section, "home state" means:

4 (a) The state in which a child lived for at least 6 consecutive  
5 months, including any temporary absence from the state ~~[;]~~ *or any*  
6 *placement outside the state through the Interstate Compact on the*  
7 *Placement of Children in accordance with NRS 127.330,*  
8 immediately before the commencement of a proceeding; or

9 (b) In the case of a child less than 6 months of age, the state in  
10 which the child lived from birth, including any temporary absence  
11 from the state.

12 **Sec. 112.** NRS 127.020 is hereby amended to read as follows:

13 127.020 1. Except as otherwise provided in subsection 2:

14 (a) A ~~[minor]~~ child may be adopted by one or more adults  
15 subject to the ~~[rules prescribed in]~~ *provisions of* this chapter ; ~~[;]~~

16 (b) ~~[A person]~~ *Each adult* adopting a child must be at least 10  
17 years older than the ~~[person adopted,]~~ *child;* and ~~[the consent of]~~

18 *(c) If the child [; if] is over [the age of] 14 years [; is necessary]*  
19 *of age, the child must agree to [its] the adoption.*

20 2. A court may approve the adoption of a child without regard  
21 to the age ~~[of]~~ *difference between* the child and ~~[the ages of]~~ the  
22 prospective adoptive parents if:

23 (a) ~~[The child is being adopted by a stepparent, sister, brother,~~  
24  ~~aunt, uncle or first cousin and, if the]~~ *At least one* prospective  
25 adoptive parent ~~[is married, also by the spouse of the prospective~~  
26  ~~adoptive parent;]~~ *is related to the child by blood within the third*  
27 *degree of consanguinity;* and

28 (b) The court is satisfied that ~~[it]~~ *the adoption* is in the best  
29 ~~[interest] interests~~ of the child . ~~[and in the interest of the public.]~~

30 **Sec. 113.** NRS 127.030 is hereby amended to read as follows:

31 127.030 1. One or more adults may petition the district court  
32 of any county in this ~~[state]~~ *State* for leave to adopt a child.

33 2. Each prospective ~~[adopting adult]~~ *adoptive parent* and each  
34 ~~[consenting legal parent seeking]~~ *parent seeking* to retain ~~[his or~~  
35  ~~her]~~ parental rights *for the child* must ~~[be]~~ :

36 (a) *Be* a joint petitioner.

37 (b) *Agree to the adoption.*

38 ~~[2.]~~ 3. Except as otherwise provided in subsection ~~[5.]~~ 6, a  
39 ~~[married]~~ person *who is married and* not lawfully separated from  
40 ~~[his or her]~~ a spouse may not adopt a child without the ~~[consent]~~  
41 *agreement* of ~~[his or her]~~ the spouse, if ~~[such]~~ the spouse is capable  
42 of ~~[giving such consent.]~~ *agreeing to the adoption.*

43 ~~[3.]~~ 4. If a spouse ~~[consents]~~ *agrees* to an adoption as  
44 described in subsection ~~[2.]~~ 3, such ~~[consent]~~ *agreement* does not



1 establish any parental rights or responsibilities on the part of the  
2 spouse unless ~~he or she:~~ *the spouse:*

3 (a) Has, in a writing filed with the court, specifically ~~consented~~  
4 *agreed* to:

5 (1) ~~Adopting~~ *Adopt* the child; and

6 (2) ~~Establishing~~ *Establish* parental rights and  
7 responsibilities; and

8 (b) Is named as an adoptive parent in the order ~~for decree~~ of  
9 adoption.

10 ~~4.~~ *5.* The court shall not name a spouse who ~~consents~~  
11 *agrees* to an adoption as described in subsection ~~2~~ *3* as an adoptive  
12 parent in an order ~~for decree~~ of adoption unless:

13 (a) The spouse has filed a writing with the court as described in  
14 paragraph (a) of subsection ~~3~~ *4*; and

15 (b) The home of the spouse is suitable for the child as  
16 determined by ~~an~~ *a post-placement* investigation ~~conducted~~  
17 ~~pursuant to NRS 127.120~~ or ~~127.2805.~~ *a home study.*

18 ~~5.~~ *6.* The court may dispense with the requirement for the  
19 ~~consent~~ *agreement* of a spouse who cannot be located after a  
20 diligent search or who is determined by the court to lack the  
21 capacity to ~~consent.~~ *agree.*

22 *7.* A spouse for whom the requirement was dispensed pursuant  
23 to ~~this~~ subsection *6* must not be named as an adoptive parent in an  
24 order ~~for decree~~ of adoption.

25 ~~6.~~ *8.* If a person who petitions for the adoption of a child  
26 pursuant to this section *or the spouse or former spouse of the*  
27 *person who petitions for adoption* is related ~~to the child~~ *by blood*  
28 within the third degree of consanguinity ~~to the child,~~ the court  
29 may, in its discretion, waive ~~the~~ :

30 (a) *The home study;*

31 (b) *The post-placement investigation; or*

32 (c) *The hearing on the petition.*

33 ~~7.~~ *9.* The court may determine that a child has a legal  
34 relationship with more than two persons who petition for the  
35 adoption of the child pursuant to this section.

36 **Sec. 114.** NRS 127.040 is hereby amended to read as follows:

37 127.040 ~~H.~~ Except as *otherwise* provided in NRS *127.041*  
38 *and* 127.090 ~~written~~ *and sections 99, 100 and 101 of this act, a*  
39 *specific* consent to ~~the specific~~ adoption ~~proposed by the petition~~  
40 or ~~for~~ *a* relinquishment ~~to an agency authorized to accept~~  
41 ~~relinquishments acknowledged by the person or persons~~  
42 ~~consenting.~~ *is required before the finalization of an adoption* from:

43 (a) *1.* Each ~~legal~~ parent who is alive; and

44 (b) *2.* Any legal guardian of the person of the child  
45 appointed by a court of competent jurisdiction.



1 ~~{2.—Consent is not required of a parent who has been adjudged~~  
2 ~~insane for 2 years if the court is satisfied by proof that such insanity~~  
3 ~~is incurable.}~~

4 **Sec. 115.** NRS 127.041 is hereby amended to read as follows:

5 127.041 1. If a petition for adoption of a child concerns the  
6 adoption of an Indian child, unless the parental rights of the ~~{Indian~~  
7 ~~child's}~~ parents *of the Indian child* have been terminated, consent in  
8 writing to the adoption must be given by the ~~{Indian-child's}~~ parents  
9 ~~{}~~ *of the Indian child*. Such written consent must be filed with the  
10 court.

11 2. ~~{An-Indian-child's}~~ A parent *of an Indian child* may consent  
12 to the adoption of the Indian child at any time not less than 10 days  
13 following the date of the ~~{Indian-child's}~~ birth *of the Indian child*  
14 by executing the consent in person before the court on the record.

15 3. Before the execution of ~~{a-parent's}~~ *the consent of a parent*  
16 under subsection 2, the court must explain to the parent on the  
17 record in detail and in the language of the parent:

18 (a) The right to legal counsel;

19 (b) The terms and consequences of the consent in detail; and

20 (c) That at any time before the entry of the order ~~{or-decree}~~ of  
21 adoption, the parent may withdraw consent for any reason and  
22 petition the court to have the child returned.

23 4. After the execution of ~~{a-parent's}~~ *the consent of a parent*  
24 under subsection 2, the court shall certify that the court made the  
25 explanation under subsection 3 and that the parent fully understood  
26 the explanation.

27 5. At any time before the entry of an order ~~{or-decree}~~ of  
28 adoption, ~~{an-Indian-child's}~~ a parent *of an Indian child* may  
29 withdraw the ~~{parent's}~~ consent *of the parent* under this section.  
30 ~~{The}~~

31 6. A withdrawal of consent *described in subsection 5* must be  
32 made by filing the written withdrawal with the court or by making a  
33 statement of withdrawal on the record in the adoption proceeding.

34 7. Upon entry of the withdrawal of consent ~~{}~~ *pursuant to*  
35 *subsection 6*, the court must promptly notify the person or entity  
36 that arranged the adoptive placement to regain custody and control  
37 of the Indian child ~~{-A}~~ *and a* parent who withdraws ~~{his-or-her}~~  
38 consent may petition the court for the return of the child.

39 ~~{6-}~~ 8. As used in this section, "parent" has the meaning  
40 ascribed to it in NRS 125E.130.

41 **Sec. 116.** NRS 127.043 is hereby amended to read as follows:

42 127.043 1. Except as otherwise provided in subsection 2, a  
43 child must not be placed in an adoptive home ~~{until-a-valid-release~~  
44 ~~for-or}~~ *or in the care of a prospective adoptive parent unless:*





1 (a) Each parent who is alive whose parental rights have not  
2 been terminated, and any legal guardian of the person of the child  
3 appointed by a court of competent jurisdiction, as applicable,  
4 executes a specific consent to adoption ~~[is executed by the parent~~  
5 ~~who gave birth to the child as provided by NRS 127.070.]~~ or a  
6 relinquishment, as applicable; and

7 (b) A child-placing agency completes a home study.

8 2. The provisions of this section do not apply if one or more of  
9 the ~~[existing legal]~~ parents *required to execute the specific consent*  
10 *to adoption or relinquishment* is a petitioner *for the adoption* or the  
11 petitioner is related to the child *by blood* within the third degree of  
12 consanguinity.

13 **Sec. 117.** NRS 127.045 is hereby amended to read as follows:

14 127.045 1. Except as otherwise provided in subsection 2,  
15 ~~[until a valid release for or]~~ *unless each parent who is alive whose*  
16 *parental rights have not been terminated, and any legal guardian*  
17 *of the person of the child appointed by a court of competent*  
18 *jurisdiction, as applicable, executes a specific* consent to adoption  
19 ~~[is executed by the parent who gave birth to the child as provided by~~  
20 ~~NRS 127.070]~~ or a relinquishment, as applicable, and ~~[the~~  
21 ~~investigation required by NRS 127.2805 is completed, no]~~ a child-  
22 *placing agency completed a home study, a* person may ~~[:]~~ not:

23 (a) Petition any court for the appointment of a guardian; or

24 (b) Be appointed the temporary guardian,

25 ↪ of the person of the child to be adopted.

26 2. The provisions of subsection 1 do not apply if one or more  
27 of the ~~[existing legal]~~ parents *required to execute the specific*  
28 *consent to adoption or relinquishment* is a petitioner *for the*  
29 *adoption* or if any petitioner or ~~[his or her]~~ *the spouse of the*  
30 *petitioner* is related to the child *by blood* within the third degree of  
31 consanguinity.

32 **Sec. 118.** NRS 127.050 is hereby amended to read as follows:

33 127.050 1. ~~[The following agencies]~~ *A child-placing agency*  
34 may accept relinquishments for the adoption of children from  
35 parents and guardians in this State. ~~[:]~~

36 ~~—(a) An agency which provides child welfare services in its own~~  
37 ~~capacity or on behalf of a child placing agency authorized under the~~  
38 ~~laws of another state to accept relinquishments and make~~  
39 ~~placements; or~~

40 ~~—(b) A child-placing agency licensed by the Division.]~~

41 2. The following agencies may consent to the adoption of  
42 children in this State:

43 (a) ~~[An agency which provides child welfare services to which~~  
44 ~~the child has been relinquished for adoption;~~



1 —(b) A child-placing agency ~~[licensed by the Division,]~~ to whom  
2 the child has been relinquished for adoption; or

3 ~~[(e)]~~ (b) Any ~~[child-placing]~~ agency authorized under the laws  
4 of another state to accept relinquishments and make placements, to  
5 whom the child has been relinquished or otherwise approved for  
6 adoption in that state.

7 ~~[3.—If an agency which provides child welfare services accepts~~  
8 ~~a relinquishment on behalf of a child-placing agency pursuant to~~  
9 ~~subsection 1, the child-placing agency shall reimburse the agency~~  
10 ~~which provides child welfare services for any costs associated with~~  
11 ~~the acceptance.]~~

12 **Sec. 119.** NRS 127.051 is hereby amended to read as follows:

13 127.051 ~~[The]~~

14 1. A *child-placing* agency to which a child has been ordered or  
15 relinquished for adoption shall be responsible for the care of the  
16 child, and shall be entitled to the custody and control of the child at  
17 all times until a petition for adoption has been granted.

18 2. Any placement for adoption made by the *child-placing*  
19 agency may be terminated by the mutual consent of the prospective  
20 adoptive parents and the *child-placing* agency, or by order of the  
21 district court for removal from the home upon the application of the  
22 *child-placing* agency when in the opinion of the *child-placing*  
23 agency the placement for adoption is detrimental to the interest of  
24 the child.

25 3. In the event of the termination of any placement for  
26 temporary care or for adoption, the child shall be returned promptly  
27 to the physical custody of the *child-placing* agency.

28 **Sec. 120.** NRS 127.052 is hereby amended to read as follows:

29 127.052 1. Each *child-placing* agency which ~~[, pursuant to~~  
30 ~~NRS 127.050,]~~ accepts a relinquishment for the adoption of a child  
31 *pursuant to NRS 127.050* shall make all necessary inquiries to  
32 determine whether the child is an Indian child.

33 2. If ~~[(i)]~~ a *child-placing agency* determines *pursuant to*  
34 *subsection 1* that the child is an Indian child and that the child is a  
35 ward of a tribal court, resides on a reservation or is domiciled on a  
36 reservation, the *child-placing* agency shall so notify the ~~[child's]~~  
37 tribe *of the child* in writing.

38 ~~[(2)]~~ 3. The Division shall adopt regulations establishing  
39 reasonable and uniform standards for making the necessary inquiries  
40 to determine whether a child is an Indian child.

41 ~~[(3)]~~ 4. For the purposes of this section, the domicile of an  
42 Indian child must be determined according to federal common law.

43 **Sec. 121.** NRS 127.053 is hereby amended to read as follows:

44 127.053 ~~[No]~~



1 *1. A specific* consent to ~~[a specific]~~ adoption *or a*  
2 *relinquishment* executed in this State, or executed outside this State  
3 for use in this State, is *not* valid unless it:

4 ~~[1.]~~ (a) Identifies the child to be adopted by name, if any, sex  
5 ~~[and] assigned at birth,~~ date of birth ~~[.]~~ *and time of birth;*

6 ~~[2.]~~ (b) Is in writing and signed, *as applicable,* by ~~[the person~~  
7 ~~consenting to the adoption as required in this chapter.~~

8 ~~—3.] :~~

9 (1) *A parent who is alive and whose parental rights have*  
10 *not been terminated by a court; and*

11 (2) *Any legal guardian of the person of the child appointed*  
12 *by a court of competent jurisdiction;*

13 (c) *Is signed by a person described in paragraph (b) at least 72*  
14 *hours after the birth of the child, unless the child is an Indian*  
15 *child, in which case, it is signed at least 10 days after the birth of*  
16 *the child;*

17 (d) Is acknowledged by ~~[the]~~ a person ~~[consenting and signing~~  
18 ~~the consent to adoption in the manner and form required for~~  
19 ~~conveyances of real property.~~

20 ~~—4. Contains,]~~ *described in paragraph (b) before:*

21 (1) *A judge or a clerk of the court having a seal;*

22 (2) *A notary public; or*

23 (3) *A justice of the peace;*

24 (e) *If the document is a specific consent to adoption, contains,*  
25 *at the time of execution, the name of [the] each person [or persons]*  
26 *to whom specific consent to adopt the child is given [.*

27 ~~—5.] ;~~

28 (f) *If the document is a relinquishment, contains, the name of*  
29 *the child-placing agency;*

30 (g) Indicates whether the person ~~[giving the consent]~~ has reason  
31 to know that the child is an Indian child and, if the person does not  
32 have reason to know that the child is an Indian child, includes a  
33 statement that the person will inform the court immediately if,  
34 before the entry of the order ~~[or decree]~~ of adoption pursuant to  
35 NRS 127.150, the person receives information that provides reason  
36 to know that the child is an Indian child [.

37 ~~—6. Is] ; and~~

38 (h) *Except as otherwise provided in subsection 2, is* attested by  
39 *at least two competent, disinterested witnesses who subscribe their*  
40 *names to the [consent] document in the presence of or by video*  
41 *conference with the person [consenting. If] described in paragraph*  
42 *(b), and if* neither the petitioner nor the spouse of a petitioner is  
43 related to the child within the third degree of consanguinity, ~~[then]~~  
44 one of the witnesses must be a social worker employed by:

45 ~~[(a)]~~ (1) An agency which provides child welfare services;



1 ~~[(b) An]~~  
2 (2) A *child-placing* agency ~~[licensed in this state to place~~  
3 ~~children for adoption;~~  
4 ~~—(c)] ;~~

5 (3) A ~~[comparable]~~ state or county agency of another state ~~;~~  
6 *that provides similar services to an entity described in*  
7 *subparagraph (1) or (2);* or

8 ~~[(d)]~~ (4) An agency authorized under the laws of another state  
9 to place children for adoption, if the ~~[natural]~~ parent resides in that  
10 state.

11 2. *A social worker employed by a child-placing agency may*  
12 *remotely witness the execution of a specific consent to adoption or*  
13 *a relinquishment by a person described in paragraph (b) of*  
14 *subsection 1 who resides outside of this State.*

15 **Sec. 122.** NRS 127.055 is hereby amended to read as follows:

16 127.055 1. ~~[Any or all of the]~~ An attesting ~~[witnesses]~~  
17 *witness to any specific* consent to adoption *required by NRS*  
18 *127.053* may ~~[-, at the request of the person or persons who executed~~  
19 ~~the consent,]~~ make and sign an affidavit before any person  
20 authorized to administer oaths in this state, stating such facts as they  
21 would be required to testify to in court to prove the due execution of  
22 the *specific* consent to adoption.

23 2. The affidavit *described in subsection 1* must be written on  
24 the *specific* consent to adoption, or, if that is impracticable, on some  
25 paper attached thereto.

26 3. The sworn statement of any witness ~~[so taken]~~ *described in*  
27 *subsection 1* must be accepted by the court in any action or  
28 proceeding relating to the validity or due execution of the *specific*  
29 consent to adoption as if it had been taken before the court.

30 ~~[2.]~~ 4. The affidavit described in subsection 1 may be  
31 substantially in the following form:

32 State of Nevada }  
33 }  
34 } ss.  
35 County of ..... }

36  
37 (Date).....

38  
39 Then and there personally appeared the within-named  
40 ..... and ....., who, being duly sworn, depose and  
41 say: That they witnessed the execution of the within *specific*  
42 consent to adoption by ..... (name of *any* person ~~[or~~  
43 ~~persons]~~ consenting); that she, he or they subscribed the  
44 *specific* consent to adoption and declared the same to be a  
45 voluntary *specific* consent to adoption in their presence; that



at the time the *specific* consent to adoption was executed it contained the names of ~~the~~ *any* person ~~for persons~~ to whom *specific* consent was thereby given to adopt the child; that they thereafter subscribed the same as witnesses in the presence of ..... (name of *any* person ~~for persons~~ consenting) and in the presence of each other and at the request of ..... (name of *any* person ~~for persons~~ consenting); that at the time of the execution of the *specific* consent to adoption ..... (name of *any* person ~~for persons~~ consenting) acknowledged to them that she, he or they was or were, and she, he or they appeared to them to be, in full possession of her, his or their faculties and not under the influence of any drug or sedative *that could impact reasoning or judgment* or subject to any duress, fear, menace, compulsion or undue influence whatever; and that they make this affidavit at her, his or their request.

.....  
.....

Subscribed and sworn to before me  
this ..... day of the month of ..... of the year .....

.....

Notary Public

**Sec. 123.** NRS 127.058 is hereby amended to read as follows:

127.058 ~~[A]~~ *Upon the execution of a specific consent to adoption, a* person to whom *specific* consent to adopt a child is given ~~[for a specific adoption pursuant to NRS 127.053 has, at the time the consent is executed,]~~ :

1. *Has* legal custody over the child ~~[and is]~~ ;
2. *Is* legally responsible for the child ; *and*
3. *Must provide for the care, support and maintenance of the child* until a court holds a hearing to enter an order ~~[or decree]~~ of adoption or to deny the petition pursuant to the laws of this State or another state.

**Sec. 124.** NRS 127.060 is hereby amended to read as follows:

127.060 The same petitioners may, in one petition, petition for the adoption of two or more children, if the children ~~[be brothers or sisters or brother and sister.]~~ *are siblings.*

**Sec. 125.** NRS 127.070 is hereby amended to read as follows:

127.070 1. ~~[All releases for and]~~ *In addition to the timing restrictions on execution of consent prescribed by NRS 127.041, all specific* consents to adoption *and relinquishments* executed in



1 this state by the parent who gave birth to a child before the birth of  
2 the child or within 72 hours after the birth of the child are invalid.

3 2. ~~[A release for or]~~ *Except as otherwise provided in NRS*  
4 *127.041, a specific consent to adoption or a relinquishment* may be  
5 executed by a parent *who did not give birth to the child* before the  
6 birth of a child if the parent is not married to the parent who gave  
7 birth to the child.

8 3. *A parent who is a child may execute a specific consent to*  
9 *adoption or a relinquishment without a requirement for*  
10 *notification to or consent by any parent.*

11 4. *A specific consent to adoption or a relinquishment*  
12 *executed by a parent who is a child may not be revoked or*  
13 *nullified based upon the parent becoming an adult.*

14 5. *A relinquishment or a specific consent to adoption cannot*  
15 *be revoked, nullified or surrendered except as otherwise provided*  
16 *in this section.*

17 6. A ~~[release executed under this subsection becomes]~~ *specific*  
18 *consent to adoption or a relinquishment is* invalid if:

19 (a) ~~[The parents of the child marry each other before the child is~~  
20 ~~born;~~

21 ~~—(b) The]~~ *Within 18 months after the birth of the child, every*  
22 *parent [who gave birth to the child] does not execute a [release for*  
23 ~~or] specific consent to adoption [of the child within 6 months after~~  
24 ~~the birth of the child;]~~ *or a relinquishment or have their parental*  
25 *rights terminated by a court of competent jurisdiction;*

26 ~~[(c) No]~~

27 (b) A petition for adoption of the child has *not* been filed within  
28 ~~[2 years]~~ *18 months* after the birth of the child ~~[;]~~ ;

29 (c) *It was obtained under fraud, duress or undue influence, as*  
30 *determined by a court of competent jurisdiction if a petition is filed*  
31 *not later than 30 days after the execution;*

32 (d) *It was nullified pursuant to NRS 127.2817; or*

33 (e) *It was surrendered pursuant to section 105 of this act.*

34 **Sec. 126.** NRS 127.090 is hereby amended to read as follows:

35 127.090 Consent of a parent to an adoption shall not be  
36 necessary where parental rights have been terminated by an order of  
37 a court of competent jurisdiction ~~[;]~~ *or evidence sufficient to the*  
38 *court that parental rights were terminated through the birth father*  
39 *registry of another state.*

40 **Sec. 127.** NRS 127.110 is hereby amended to read as follows:

41 127.110 1. A petition for adoption of a child ~~[who currently~~  
42 ~~resides in the home of the petitioners]~~ may be filed at any time after  
43 the child ~~[has lived in the home for 30 days.]~~ *has been placed with*  
44 *the petitioners.*



1 2. The petition for adoption must state, in substance, the  
2 following:

3 (a) The full name and age of the petitioners.

4 (b) The age of the child sought to be adopted and the ~~[period]~~  
5 *date* that the child ~~[has lived]~~ *was placed* in the home of *the*  
6 petitioners. ~~[before the filing of the petition.]~~

7 (c) That it is the desire of the petitioners that the relationship of  
8 parent and child be established between ~~[them]~~ *the petitioners* and  
9 the child.

10 (d) ~~[Their]~~ *If the petitioners* desire that the name of the child be  
11 changed, ~~[together with]~~ the new name desired ~~[.]~~ *for the child.*

12 (e) That the petitioners are fit and proper persons to have the  
13 care and custody of the child.

14 (f) That ~~[they]~~ *the petitioners* are financially able to provide for  
15 the child.

16 (g) That there has been a full compliance with the law in regard  
17 to *termination of parental rights, relinquishment for adoption or*  
18 *specific* consent to adoption.

19 (h) That there has been a full compliance with NRS 127.220 to  
20 127.310, inclusive ~~[.]~~, *as applicable to the type of adoption sought*  
21 *by the petitioners.*

22 (i) Whether the petitioners have reason to know that the child is  
23 an Indian child.

24 (j) That there are no known signs that the child is currently  
25 experiencing victimization from human trafficking, exploitation or  
26 abuse.

27 (k) *Whether an agreement for postadoptive contact has been*  
28 *entered into by the petitioners and any parent of the child to be*  
29 *adopted.*

30 (l) *Whether there is an order for visitation of a child by a*  
31 *sibling or other relative.*

32 3. ~~[No]~~ *An* order of adoption may *not* be entered unless there  
33 has been full compliance with the provisions of NRS 127.220 to  
34 127.310, inclusive. ~~[, and the provisions of NRS 125E.010 to~~  
35 ~~125E.370, inclusive, 127.041, 127.115, 127.151 and 127.1861 to~~  
36 ~~127.1869, inclusive.]~~

37 **Sec. 128.** NRS 127.115 is hereby amended to read as follows:

38 127.115 1. In addition to the requirements set forth in NRS  
39 127.110, a petition for adoption of a child must contain:

40 (a) A declaration under penalty of perjury and documentation, as  
41 described by the regulations adopted by the Division pursuant to  
42 ~~[NRS 127.1867.]~~ *section 57 of this act*, of the ~~[petitioner's]~~  
43 good faith efforts *by the petitioner* described in subsection 1 of NRS  
44 125E.210, to determine whether there is reason to know that the  
45 child is an Indian child;





1 (b) A statement as to whether the petitioner has reason to know  
2 that the child is an Indian child; and

3 (c) If the petitioner has reason to know that the child is an Indian  
4 child:

5 (1) A declaration under penalty of perjury and  
6 documentation, as described by the regulations adopted by the  
7 Division pursuant to ~~NRS 127.1867,~~ *section 57 of this act,*  
8 showing that the proposed adoptive placement complies with the  
9 requirements under NRS 125E.350; or

10 (2) A statement that the petitioner is moving the court under  
11 subsection 3 of NRS 125E.350 for a finding, by clear and  
12 convincing evidence, that good cause exists for alternative adoptive  
13 placement and a statement describing the details supporting the  
14 assertion of the petitioner that good cause exists for the alternative  
15 placement, as described in subsection 3 of NRS 125E.350.

16 2. A petition for adoption of a child must, if applicable, request  
17 the following:

18 (a) A finding that the petitioner complied with the inquiry  
19 requirements under subsection 1 of NRS 125E.210;

20 (b) A finding of whether there is reason to know that the child is  
21 an Indian child; and

22 (c) If the court finds that the child is an Indian child:

23 (1) The determinations required under NRS 125E.250  
24 regarding the Indian child's residence, domicile and wardship status;

25 (2) A finding that the petitioner complied with the notice  
26 requirements under subsection 2 of NRS 125E.220; and

27 (3) A finding that the adoptive placement complies with the  
28 placement preferences under NRS 125E.350 or, if not, that upon the  
29 petitioner's motion under subsection 3 of NRS 125E.350, good  
30 cause exists for placement contrary to the placement preferences in  
31 NRS 125E.350.

32 3. If the petitioner has reason to know that the child is an  
33 Indian child, within 30 days after filing the petition, the petitioner  
34 shall:

35 (a) Serve copies of the petition by registered or certified mail,  
36 return receipt requested, together with the notice of proceeding in  
37 the form required under subsection 3 of NRS 125E.220, to:

38 (1) Each tribe of which the Indian child may be a member or  
39 in which the Indian child may be eligible for membership;

40 (2) The appropriate Regional Director of the United States  
41 Bureau of Indian Affairs listed in 25 C.F.R. § 23.11(b), if the  
42 identity or location of the child's parents, Indian custodian or tribe  
43 cannot be ascertained; and

44 (3) The appropriate agency which provides child welfare  
45 services.



1 (b) File a declaration of compliance with the court, including a  
2 copy of each notice sent, together with any return receipts or other  
3 proof of service.

4 **Sec. 129.** NRS 127.120 is hereby amended to read as follows:

5 127.120 1. A petition for adoption of a child must be filed ~~[in~~  
6 ~~duplicate]~~ with the [county] clerk ~~[-. The county clerk shall send one~~  
7 ~~copy of the petition to the agency which provides child welfare~~  
8 ~~services.] of the court.~~

9 2. ~~[The agency which provides child welfare services shall~~  
10 ~~make an investigation and report as provided in this section. If one~~  
11 ~~petitioner or the spouse of a petitioner is related to the child within~~  
12 ~~the third degree of consanguinity, the court may, in its discretion,~~  
13 ~~waive the investigation by the agency which provides child welfare~~  
14 ~~services. A copy of the order waiving the investigation must be sent~~  
15 ~~to the nearest office of the agency which provides child welfare~~  
16 ~~services by the petitioners within 7 days after the order is issued.~~

17 ~~—3. The agency which provides child welfare services or a~~  
18 ~~licensed] Unless waived by the court for good cause shown, and~~  
19 ~~except as otherwise provided in subsection 9, a child-placing~~  
20 ~~agency [designated to do so by the court] shall [-] complete a post-~~  
21 ~~placement investigation by:~~

22 (a) ~~[Verify] Verifying~~ the allegations of the petition;

23 (b) ~~[Investigate] Investigating~~ the condition of the child,  
24 including, without limitation, whether the child is an Indian child;  
25 and

26 (c) ~~[Make] Making~~ proper inquiry to determine whether the  
27 proposed ~~[adopting] adoptive~~ parents are suitable for the child.

28 ~~[4. The agency which provides child welfare services or]~~

29 3. ~~Unless the post-placement investigation was waived by the~~  
30 ~~court pursuant to subsection 2, and except as otherwise provided~~  
31 ~~in subsection 4 or 9, the [designated] child-placing agency shall,~~  
32 ~~before the date on which the child has lived for a period of 6 months~~  
33 ~~in the home of the petitioners or within 30 days after receiving the~~  
34 ~~copy of the petition for adoption, whichever is later, submit to the~~  
35 ~~court a full written report of its findings pursuant to subsection [3,]~~  
36 ~~2, which must contain, without limitation, a specific~~  
37 ~~recommendation for or against approval of the petition and a~~  
38 ~~statement of whether the child is known to be an Indian child, and~~  
39 ~~shall furnish to the court any other information regarding the child~~  
40 ~~or proposed home which the court requires.~~

41 4. The court, on good cause shown, may extend the time,  
42 designating a time certain, within which to submit the report ~~[-]~~  
43 ~~required by subsection 3.~~

44 5. If the court is dissatisfied with the report submitted by the  
45 ~~[agency which provides child welfare services or the designated]~~



1 child-placing agency, the court may order an independent  
2 investigation to be conducted and a report submitted by an agency  
3 or person selected by the court.

4 *6. If the recommendation of the child-placing agency is*  
5 *adverse, the district judge, before denying the petition for*  
6 *adoption, shall give the petitioner an opportunity to rebut the*  
7 *findings and recommendation of the report of the child-placing*  
8 *agency.*

9 *7. The report of the child-placing agency must not be made a*  
10 *matter of public record, but must be given in writing and in*  
11 *confidence to the district judge before whom the matter is pending.*

12 *8. The costs of the investigation and report under this section*  
13 *may be assessed against the petitioner .* ~~for charged against the~~  
14 ~~county in which the adoption proceeding is pending.~~

15 *9. A post-placement investigation or report is not required in*  
16 *a closed-family adoption, confirmatory adoption or readoption.*

17 **Sec. 130.** NRS 127.123 is hereby amended to read as follows:

18 127.123 ~~[Notice]~~ *A notice* of the filing of a petition for ~~[the]~~  
19 adoption of a child must be provided to all legal custodians or  
20 guardians of the child who are not a ~~[legal]~~ parent of the child.

21 **Sec. 131.** NRS 127.127 is hereby amended to read as follows:

22 127.127 ~~[The]~~

23 *1. Except as otherwise provided in subsection 3, the*  
24 *petitioners shall file with the court, ~~[within]~~ not later than* 15 days  
25 *after the petition for adoption is filed or 5 months after the child*  
26 ~~*[begins to live in their]*~~ *is placed in the* home ~~[.]~~ *of the petitioners,*  
27 *whichever is later, an affidavit executed by ~~[them]~~ the petitioners*  
28 *and their attorney setting forth all fees, donations and expenses paid*  
29 *by them in furtherance of the adoption.*

30 *2. A copy of the affidavit described in subsection 1 must be*  
31 *sent to the ~~[agency which provides child welfare services.]~~ child-*  
32 *placing agency involved in the adoption.*

33 *3. If one petitioner or the spouse of a petitioner is related to the*  
34 *child by blood within the third degree of consanguinity, the ~~[court~~*  
35 ~~*may waive the]*~~ *filing of the affidavit ~~[.]~~ described in subsection 1 is*  
36 *not required.*

37 **Sec. 132.** NRS 127.140 is hereby amended to read as follows:

38 127.140 1. Except as otherwise provided in NRS 239.0115,  
39 all hearings held in proceedings under this chapter are confidential  
40 and must be held in closed court, without admittance of any person  
41 other than the petitioners, their witnesses, the director of an agency,  
42 or their authorized representatives, attorneys and persons entitled to  
43 notice by this chapter, except by order of the court.

44 2. The files and records of the court in adoption proceedings  
45 are not open to inspection by any person except:



1 (a) Upon an order of the court expressly so permitting pursuant  
2 to a petition setting forth the reasons therefor;

3 (b) If a ~~[natural]~~ parent and the child are eligible to receive  
4 information from the State Register for Adoptions; or

5 (c) As provided pursuant to subsections 3 to 6, inclusive.

6 3. An adoptive parent who intends to file a petition pursuant to  
7 NRS 127.1885 or 127.1895 to enforce, modify or terminate an  
8 agreement that provides for postadoptive contact may inspect only  
9 the portions of the files and records of the court concerning the  
10 agreement for postadoptive contact.

11 4. A ~~[natural]~~ parent who intends to file a petition pursuant to  
12 NRS 127.1885 to prove the existence of or to enforce an agreement  
13 that provides for postadoptive contact or to file an action pursuant to  
14 NRS 41.509 may inspect only the portions of the files or records of  
15 the court concerning the agreement for postadoptive contact.

16 5. Upon the request of a sibling or adoptive child who wishes  
17 to enforce *, modify or terminate* an order for visitation included in  
18 ~~[a-decree]~~ *an order* of adoption pursuant to NRS 127.2827, the court  
19 shall provide the case number of the adoption proceeding to the  
20 sibling and allow the sibling to inspect only the portions of the files  
21 or records of the court concerning the order for visitation.

22 6. The portions of the files and records which are made  
23 available for inspection by an adoptive parent, ~~[natural]~~ parent or  
24 sibling pursuant to subsection 3, 4 or 5 must not include any  
25 confidential information, including, without limitation, any  
26 information that identifies or would lead to the identification of a  
27 ~~[natural]~~ parent if the identity of the ~~[natural]~~ parent is not included  
28 in the agreement for postadoptive contact or order for visitation, as  
29 applicable.

30 **Sec. 133.** NRS 127.145 is hereby amended to read as follows:

31 127.145 1. ~~[The]~~ *Except as otherwise provided in subsection*  
32 *2, a prospective adoptive [parents] parent, child, representative of a*  
33 *child-placing agency or attorney for any party* may attend by  
34 telephone ~~[ ]~~ *or video conference*, in lieu of attending in person, any  
35 hearings held by the court concerning the petition for adoption . ~~[if:~~

36 ~~—(a) The prospective adoptive parents reside in another state or~~  
37 ~~jurisdiction;~~

38 ~~—(b) The petition for adoption is filed for the adoption of a child~~  
39 ~~who is in the custody of an agency which provides child welfare~~  
40 ~~services or a child-placing agency licensed by the Division pursuant~~  
41 ~~to this chapter; and~~

42 ~~—(c) A representative of the agency responsible for supervising~~  
43 ~~the child in the state where the child will be placed appears at the~~  
44 ~~hearing by telephone.]~~



1 2. ~~[The appearance of the prospective adoptive parents and the~~  
2 ~~representative of the agency described in paragraph (c) of subsection~~  
3 ~~1 must occur at the office of the agency or at the home of the~~  
4 ~~prospective adoptive parents, as determined by the agency.] A court~~  
5 ~~for good cause shown may waive the appearance of the child at~~  
6 ~~any hearing concerning the petition for adoption.~~

7 3. ~~[If the prospective adoptive parents are attending a hearing~~  
8 ~~by telephone pursuant to subsection 1, the court shall place the~~  
9 ~~telephone call to a telephone number known to be a telephone~~  
10 ~~number of the agency described in paragraph (c) of subsection 1 or~~  
11 ~~of the prospective adoptive parents.] A court for good cause shown~~  
12 ~~may waive any hearing in a closed-family adoption.~~

13 **Sec. 134.** NRS 127.150 is hereby amended to read as follows:

14 127.150 1. If the court finds that the best interests of the child  
15 warrant the granting of the petition, an order ~~[or decree]~~ of adoption  
16 must be made and filed, ordering that henceforth the child is the  
17 child of the petitioners.

18 2. When determining whether the best interests of the child  
19 warrant the granting of a petition that is filed by a ~~[foster]~~  
20 *prospective adoptive* parent, the court shall give strong  
21 consideration to the emotional bond between the child and the  
22 ~~[foster]~~ *prospective adoptive* parent. ~~[A copy of the order or decree~~  
23 ~~must be sent to the nearest office of the agency which provides child~~  
24 ~~welfare services by the petitioners within 7 days after the order or~~  
25 ~~decree is issued.]~~

26 3. In the ~~[decree]~~ *order of adoption*, the court may change the  
27 name of the child, if desired ~~[-~~

28 ~~—2. Except as otherwise provided in this subsection, an] by the~~  
29 ~~petitioners.~~

30 4. ~~Unless the adoption is a closed-family adoption, a~~  
31 ~~confirmatory adoption or a readoption, an order [or decree] of~~  
32 ~~adoption may not be made until [after the child has lived for] 6~~  
33 ~~months [in the home of] after the placement of the child with the~~  
34 ~~petitioners. [This subsection does not apply if one of the petitioners~~  
35 ~~is the stepparent of the child or is related to the child within the third~~  
36 ~~degree of consanguinity.]~~

37 ~~—3. If the court is not satisfied that the proposed adoption is in~~  
38 ~~the best interests of the child, the court shall deny the petition and~~  
39 ~~may order the child returned to the custody of the person or agency~~  
40 ~~legally vested with custody. The court shall not deny a petition~~  
41 ~~solely because the petitioner:~~

42 ~~—(a) Is deaf, is blind or has another physical disability; or~~

43 ~~—(b) Is the holder of a valid registry identification card.~~



1 ~~—4. After a petition for adoption has been granted, there is a~~  
2 ~~presumption that remaining in the home of the adopting parent is in~~  
3 ~~the child's best interest.~~

4 ~~—5. As used in this section:~~

5 ~~—(a) "Blind" has the meaning ascribed to it in NRS 426.082.~~

6 ~~—(b) "Holder of a valid registry identification card" means a~~  
7 ~~person who holds a valid registry identification card as defined in~~  
8 ~~NRS 678C.080 that identifies the person as:~~

9 ~~—(1) Exempt from state prosecution for engaging in the~~  
10 ~~medical use of cannabis; or~~

11 ~~—(2) A designated primary caregiver as defined in~~  
12 ~~NRS 678C.040.]~~

13 **Sec. 135.** NRS 127.151 is hereby amended to read as follows:

14 127.151 1. An order ~~[or decree]~~ entered pursuant to NRS  
15 127.150 must include:

16 (a) A finding that the petitioner complied with the inquiry  
17 requirements under subsection 1 of NRS 125E.210 to determine  
18 whether there is reason to know that the child is an Indian child; and

19 (b) A finding that the child is or is not an Indian child.

20 2. In an adoption of an Indian child, the order ~~[or decree]~~ must  
21 include:

22 (a) The birth name and date of birth of the Indian child, the  
23 ~~[Indian child's]~~ tribal affiliation *of the Indian child* and the name of  
24 the Indian child after adoption;

25 (b) If known, the names and addresses of the ~~[biological]~~  
26 parents;

27 (c) The names and addresses of the adoptive parents;

28 (d) The name and contact information for any agency having  
29 files or information relating to the adoption;

30 (e) Any information relating to tribal membership or eligibility  
31 for tribal membership of the Indian child;

32 (f) The determination regarding the ~~[Indian child's]~~ residence,  
33 domicile and tribal wardship status *of the Indian child* as required  
34 under NRS 125E.250;

35 (g) A finding that the petitioner complied with the notice  
36 requirements under subsection 2 of NRS 125E.220;

37 (h) If the adoptive placement and the parents entered into a post-  
38 adoptive contact agreement or the adoptive placement and the  
39 ~~[Indian child's]~~ tribe *of the Indian child* has entered into an  
40 agreement that requires the adoptive placement to maintain  
41 connection between the child and the ~~[child's]~~ tribe ~~[ ]~~ *of the Indian*  
42 *child*, the terms of the agreement; and

43 (i) A finding that the adoptive placement complies with the  
44 placement preferences under NRS 125E.350 or, if the placement  
45 does not comply with the placement preferences under



1 NRS 125E.350, a finding upon the petitioner's motion under  
2 subsection 3 of NRS 125E.350 that good cause exists for placement  
3 contrary to the placement preferences.

4 3. For each finding or determination made under this section,  
5 the court must provide a description of the facts upon which the  
6 finding or determination is based.

7 4. Upon entry of the order ~~for decree~~ of adoption of an Indian  
8 child, the court shall provide to the United States Bureau of Indian  
9 Affairs copies of the order ~~for decree~~ entered pursuant to NRS  
10 127.150, any affidavit signed by a consenting parent requesting  
11 anonymity, and all other required information in accordance with 25  
12 C.F.R. § 23.140.

13 **Sec. 136.** NRS 127.152 is hereby amended to read as follows:

14 127.152 1. Except as otherwise provided in subsection ~~[3,]~~ **4,**  
15 the ~~[agency which provides child welfare services or a licensed]~~  
16 child-placing agency shall provide the ~~[adopting]~~ **prospective**  
17 **adoptive** parents of a child with a report which includes:

18 (a) A copy of any medical records of the child which are in the  
19 possession of the ~~[agency which provides child welfare services or~~  
20 ~~licensed]~~ child-placing agency.

21 (b) Any information obtained by the ~~[agency which provides~~  
22 ~~child welfare services or licensed]~~ child-placing agency during  
23 interviews of the ~~[natural]~~ parent regarding:

24 (1) The medical and sociological history of the child and the  
25 ~~[natural]~~ parents of the child; and

26 (2) Any behavioral, emotional or psychological problems  
27 that the child may have. ~~[Information regarding any behavioral,~~  
28 ~~emotional or psychological problems that the child may have must~~  
29 ~~be discussed in accordance with policies established by an agency~~  
30 ~~which provides child welfare services and a child placing agency~~  
31 ~~pursuant to regulations adopted by the Division for the disclosure of~~  
32 ~~such information.]~~

33 (c) Written information regarding any subsidies, assistance and  
34 other services that may be available to the child if it is determined  
35 pursuant to NRS 127.186 that the child has any special needs.

36 2. ***Any information regarding any behavioral, emotional or***  
37 ***psychological problems that the child may have must be discussed***  
38 ***in accordance with policies established by a child-placing agency***  
39 ***pursuant to regulations adopted by the Division for the disclosure***  
40 ***of such information.***

41 3. The ~~[agency which provides child welfare services or]~~ child-  
42 placing agency shall obtain from the ~~[adopting]~~ **prospective**  
43 **adoptive** parents written confirmation that the ~~[adopting]~~  
44 **prospective adoptive** parents have received the report required  
45 pursuant to subsection 1.





1 ~~[3.]~~ 4. The report required pursuant to subsection 1 must  
2 exclude any information that would lead to the identification of ~~[the~~  
3 ~~natural]~~ a parent.

4 ~~[4.]~~ 5. The Division shall adopt regulations specifying the  
5 procedure and format for the provision of information pursuant to  
6 this section, which may include the provision of a summary of  
7 certain information.

8 6. If a summary is provided pursuant to this section, the  
9 ~~[adopting]~~ prospective adoptive parents ~~[of the child]~~ may also  
10 obtain the information set forth in subsection 1.

11 **Sec. 137.** NRS 127.157 is hereby amended to read as follows:

12 127.157 1. After an order ~~[or decree]~~ of adoption has been  
13 entered, the court shall direct the petitioner or ~~[his or her]~~ *the*  
14 attorney *of the petitioner* to prepare a report of adoption on a form  
15 prescribed and furnished by the State Registrar of Vital Statistics.

16 2. The report *described in subsection 1* must:

17 (a) Identify the original certificate of birth of the person  
18 adopted;

19 (b) Provide sufficient information to prepare a new certificate of  
20 birth for the person adopted;

21 (c) Identify the order ~~[or decree]~~ of adoption; and

22 (d) Be certified by the clerk of the court.

23 ~~[2.—The agency which provides child welfare services shall~~  
24 ~~provide the petitioner or his or her attorney with any factual~~  
25 ~~information which will assist in the preparation of the report~~  
26 ~~required in subsection 1.]~~

27 3. If an order ~~[or decree]~~ of adoption is amended or annulled,  
28 the petitioner or ~~[his or her]~~ *the* attorney *of the petitioner* shall  
29 prepare a report to the State Registrar of Vital Statistics, which  
30 includes sufficient information to identify the original order ~~[or~~  
31 ~~decree]~~ of adoption and the provisions of that ~~[decree] order~~ which  
32 were amended or annulled.

33 ~~[4.—The petitioner or his or her attorney shall forward all reports~~  
34 ~~required by the provisions of this section to the State Registrar of~~  
35 ~~Vital Statistics not later than the 10th day of the month next~~  
36 ~~following the month in which the order or decree was entered, or~~  
37 ~~more frequently if requested by the State Registrar, together with~~  
38 ~~any related material the State Registrar may require.]~~

39 **Sec. 138.** NRS 127.160 is hereby amended to read as follows:

40 127.160 1. Upon the entry of an order of adoption, the child  
41 shall become the legal child of the persons adopting the child, and  
42 ~~[they]~~ *such persons* shall become the ~~[child's]~~ legal parents *of the*  
43 *child* with all the rights and duties between them of ~~[natural parents]~~  
44 *parent* and ~~[legitimate]~~ child.



1       2. By virtue of ~~{such}~~ *the* adoption , the child shall inherit from  
2 ~~{his or her}~~ *the* adoptive parents or their relatives the same as though  
3 the child were the ~~{legitimate}~~ *natural* child of such parents, and in  
4 case of the death of the child intestate the adoptive parents and their  
5 relatives shall inherit the ~~{child's}~~ estate *of the child* as if ~~{they}~~ *the*  
6 *adoptive parents* had been the ~~{child's}~~ natural parents and relatives  
7 in fact ~~{ }~~ *of the child*.

8       3. After ~~{a decree}~~ *an order* of adoption , ~~{is entered,}~~ any  
9 parent who ~~{has signed}~~ *executed* a relinquishment or ~~{given}~~ *a*  
10 *specific* consent to ~~{terminate his or her}~~ *adoption that also*  
11 *terminated* parental rights is relieved of all parental responsibilities  
12 for the adopted child and shall not exercise or have any rights over  
13 the adopted child or the property of the adopted child.

14       4. The child does not owe a parent whose parental rights have  
15 been terminated any legal duty and may not inherit from a parent  
16 whose parental rights have been terminated or ~~{his or her}~~ kindred  
17 ~~{ }~~ *of a parent whose parental rights have been terminated*.

18       5. Notwithstanding any other provisions to the contrary in this  
19 section, the adoption of a child does not in any way change the  
20 status of the relationship between the child and any ~~{legal}~~ parent  
21 who is a petitioner and whose parental rights have not been  
22 terminated.

23       **Sec. 139.** NRS 127.165 is hereby amended to read as follows:

24       127.165 1. A ~~{prior}~~ parent ~~{of a child}~~ may not bring an  
25 action to set aside an adoption after a petition for adoption has been  
26 granted, unless a court of competent jurisdiction has previously, in a  
27 separate action:

- 28       (a) Set aside the *specific* consent to ~~{the}~~ adoption;  
29       (b) Set aside the relinquishment ; ~~{of the child for adoption;}~~ or  
30       (c) Reversed an order terminating the parental rights of the  
31 parent.

32       2. After a petition for adoption has been granted, there is a  
33 presumption for the purposes of this chapter that remaining in the  
34 home of the ~~{adopting}~~ *adoptive* parents is in the ~~{child's}~~ best  
35 ~~{interest.}~~ *interests of the child*.

36       **Sec. 140.** NRS 127.171 is hereby amended to read as follows:

37       127.171 1. Except as otherwise provided in NRS 127.187 to  
38 127.1895, inclusive, in a proceeding for the adoption of a child, the  
39 court may grant a reasonable right to visit to:

40       (a) A sibling of the child if the child is in the custody of an  
41 agency which provides child welfare services and a similar right has  
42 been granted previously pursuant to NRS 432B.580; and

43       (b) Certain relatives of the child only if a similar right had been  
44 granted previously pursuant to NRS 125C.050.



1 2. ~~[The agency which provides child welfare services shall~~  
2 ~~provide the court which is conducting the adoption proceedings with~~  
3 ~~a copy of any order for visitation with a sibling of the child that was~~  
4 ~~issued pursuant to NRS 432B.580.~~

5 ~~—3.]~~ The court may not grant a right to visit the child to any  
6 person other than as specified in subsection 1.

7 **Sec. 141.** NRS 127.186 is hereby amended to read as follows:

8 127.186 1. ~~[The agency which provides child welfare~~  
9 ~~services or a]~~ A child-placing agency ~~[licensed by the Division~~  
10 ~~pursuant to this chapter]~~ may consent to the adoption of a child  
11 ~~[under 18 years of age]~~ with special needs ~~[due to race, age or~~  
12 ~~physical or mental problems]~~ who is in the custody of the ~~[agency~~  
13 ~~which provides child welfare services or the licensed]~~ *child-placing*  
14 agency by ~~[proposed]~~ *prospective* adoptive parents when, in the  
15 judgment of ~~[the agency which provides child welfare services or]~~  
16 the child-placing agency, it would be in the best interests of the  
17 child to be placed in that adoptive home.

18 2. The ~~[agency which provides child welfare services or]~~ child-  
19 placing agency ~~[, whichever has custody of the child,]~~ shall in a  
20 timely and diligent manner:

21 (a) Schedule any evaluations necessary to identify any special  
22 needs the child may have.

23 (b) If it determines that the child has any special needs ~~[-~~

24 ~~—(1) Notify the proposed adoptive parents:~~

25 ~~—(I) That they may be eligible for a grant of financial~~  
26 ~~assistance pursuant to this section; and~~

27 ~~—(II) The manner in which to apply for such financial~~  
28 ~~assistance; and~~

29 ~~—(2) Assist]~~ , *assist* the ~~[proposed]~~ *prospective* adoptive  
30 parents in applying for and satisfying any other prerequisites  
31 necessary to obtain ~~[a grant of financial assistance pursuant to this~~  
32 ~~section and]~~ any ~~[other]~~ relevant subsidies and services which may  
33 be available.

34 3. ~~[The agency which provides child welfare services may~~  
35 ~~grant financial assistance for attorney's fees in the adoption~~  
36 ~~proceeding, for maintenance and for preexisting physical or mental~~  
37 ~~conditions to the adoptive parents of a child with special needs out~~  
38 ~~of money provided for that purpose if the head of the agency which~~  
39 ~~provides child welfare services or his or her designee has reviewed~~  
40 ~~and approved in writing the grant of financial assistance.~~

41 ~~—4.~~ The grant of financial assistance must be limited, both as to  
42 amount and duration, by agreement in writing between the agency  
43 which provides child welfare services and the adoptive parents.  
44 Such an agreement must not become effective before the entry of  
45 the order of adoption.



1 ~~—5. Any grant of financial assistance must be reviewed and~~  
2 ~~evaluated at least once annually by the agency which provides child~~  
3 ~~welfare services. The evaluation must be presented for approval to~~  
4 ~~the head of the agency which provides child welfare services or his~~  
5 ~~or her designee. Financial assistance must be discontinued~~  
6 ~~immediately upon written notification to the adoptive parents by the~~  
7 ~~agency which provides child welfare services that continued~~  
8 ~~assistance is denied.~~

9 ~~—6. All financial assistance provided under this section ceases~~  
10 ~~immediately when the child:~~

11 ~~—(a) Reaches 18 years of age, if the child is not enrolled in~~  
12 ~~school, or 19 years of age, if the child is enrolled in school;~~

13 ~~—(b) Graduates from high school, if the child is at least 18 years~~  
14 ~~of age;~~

15 ~~—(c) Becomes self supporting;~~

16 ~~—(d) Is emancipated; or~~

17 ~~—(e) Dies.~~

18 ~~—7. Neither a grant of financial assistance pursuant to this~~  
19 ~~section nor any discontinuance of such assistance affects the legal~~  
20 ~~status or respective obligations of any party to the adoption.~~

21 ~~—8.] A court shall waive all court costs of the [proposed]~~  
22 ~~prospective adoptive parents in an adoption proceeding for a child~~  
23 ~~with special needs if the [agency which provides child welfare~~  
24 ~~services or] child-placing agency consents to the adoption of such a~~  
25 ~~child pursuant to this section.~~

26 ~~[9. The Division, in consultation with each agency which~~  
27 ~~provides child welfare services, shall adopt regulations regarding~~  
28 ~~eligibility for and the procedures for applying for a grant of financial~~  
29 ~~assistance pursuant to this section.]~~

30 **Sec. 142.** NRS 127.1861 is hereby amended to read as  
31 follows:

32 127.1861 1. A petition to vacate an order ~~[or decree]~~ of  
33 adoption of an Indian child under this chapter may be filed in a court  
34 of competent jurisdiction by a parent who consented to the adoption.

35 2. Upon the filing of a petition under this section, the court  
36 shall set a time for a hearing on the petition and provide notice of  
37 the petition and hearing to each party to the adoption proceeding and  
38 to the ~~[Indian child's]~~ tribe ~~[.]~~ *of the Indian child.*

39 3. After a hearing on the petition, the court shall vacate the  
40 order ~~[or decree]~~ of adoption if:

41 (a) The petition is filed not later than 2 years following the date  
42 of the order ; ~~[or decree;]~~ and

43 (b) The court finds by clear and convincing evidence that the  
44 ~~[parent's]~~ consent *of the parent* was obtained through fraud or  
45 duress.



1 4. When the court vacates an order ~~[or decree]~~ of adoption  
2 under this section, the court shall also order that the parental rights  
3 of the parent whose consent the court found was obtained through  
4 fraud or duress be restored.

5 5. The order restoring parental rights under this section must  
6 include a plan for the physical custody of the Indian child, whether  
7 the Indian child will be placed with ~~[an]~~ *a child-placing* agency  
8 ~~[which provides child welfare services]~~ or with the parent.

9 **Sec. 143.** NRS 127.1863 is hereby amended to read as  
10 follows:

11 127.1863 1. If an order ~~[or decree]~~ of adoption of an Indian  
12 child under this chapter is vacated, the court vacating the order ~~[or~~  
13 ~~decree]~~ must notify, by registered or certified mail with return  
14 receipt requested, the ~~[Indian child's]~~ former parents, prior Indian  
15 custodian, if any, and ~~[Indian]~~ tribe *of the Indian child* and the  
16 appropriate *child-placing* agency . ~~[which provides child welfare~~  
17 ~~services.]~~

18 2. The notice required under subsection 1 must:

19 (a) Include the ~~[Indian child's]~~ current ~~[name]~~ and any former  
20 names *of the Indian child* as reflected in the court record;

21 (b) Inform the recipient of the right to move the court for the  
22 return of custody of and restoration of parental rights to the Indian  
23 child, if appropriate, under this section;

24 (c) Provide sufficient information to allow the recipient to  
25 participate in any scheduled hearings; and

26 (d) Be sent to the last known address in the court record.

27 3. ~~[An Indian child's]~~ *A* former parent or prior Indian  
28 custodian *of an Indian child* may waive notice under this section by  
29 executing a waiver of notice in person before the court and filing the  
30 waiver with the court.

31 4. The waiver *described in subsection 3* must clearly set out  
32 any conditions to the waiver.

33 5. Before the execution of the waiver ~~[ ]~~ *described in*  
34 *subsection 3*, the court must explain to the former parent or prior  
35 Indian custodian, on the record in detail and in the language of the  
36 former parent or prior Indian custodian:

37 (a) The ~~[former parent's]~~ right to legal counsel ~~[ ]~~ *of the former*  
38 *parent*, if applicable;

39 (b) The terms and consequences of the waiver; and

40 (c) How the waiver may be revoked.

41 ~~[4.]~~ 6. After execution of the waiver pursuant to subsection 3,  
42 the court shall certify that it provided the explanation as required  
43 under subsection ~~[3]~~ 5 and that the former parent or prior Indian  
44 custodian fully understood the explanation.



1 ~~[5.]~~ 7. At any time before the entry of an order ~~[or-decree]~~ of  
2 adoption of an Indian child, the former parent or prior Indian  
3 custodian may revoke a waiver executed by the former parent or  
4 prior Indian custodian pursuant to subsection 3 by filing a written  
5 revocation with the court or by making a statement of revocation on  
6 the record in a proceeding for the adoption of the Indian child.

7 ~~[6.]~~ 8. If an order ~~[or-decree]~~ of adoption of an Indian child  
8 under this chapter is vacated other than as provided in NRS  
9 125E.360, ~~[an Indian child's]~~ a former parent or prior Indian  
10 custodian *of an Indian child* may intervene in the proceeding and  
11 move the court for the Indian child to be returned to the custody of  
12 the former parent or prior Indian custodian and for the parental  
13 rights to the Indian child to be restored.

14 9. The moving party *described in subsection 8* shall provide by  
15 registered or certified mail, return receipt requested, notice of the  
16 motion for the Indian child to be returned to the custody of the  
17 former parent or prior Indian custodian and the time set for filing  
18 objections to the motion, together with notice of proceeding in the  
19 form required under subsection 3 of NRS 125E.220 to:

20 (a) The agency which provides child welfare services in the  
21 county in which the order was vacated;

22 (b) Each tribe of which the child may be a member or in which  
23 the Indian child may be eligible for membership;

24 (c) The ~~[child's]~~ parents ~~[.]~~ *of the child*;

25 (d) The ~~[child's]~~ Indian custodian ~~[.]~~ *of the child*, if applicable;  
26 and

27 (e) The appropriate Regional Director of the United States  
28 Bureau of Indian Affairs listed in 25 C.F.R. § 23.11(b), if the  
29 identity or location of the ~~[child's]~~ parents *of the child* cannot be  
30 ascertained.

31 ~~[7.]~~ 10. The petitioner shall file a declaration of compliance,  
32 including a copy of each notice sent under ~~[this]~~ subsection ~~[.]~~ 9,  
33 together with any return receipts or other proof of service.

34 ~~[7.]~~ 11. Upon the filing of an objection to a motion made  
35 pursuant to subsection ~~[6.]~~ 8, the court shall fix the time for hearing  
36 on objections.

37 ~~[8.]~~ 12. The court shall order the Indian child to be returned to  
38 the custody of the former parent or prior Indian custodian or restore  
39 the parental rights to the Indian child unless the court finds, by clear  
40 and convincing evidence, that the return of custody or restoration of  
41 parental rights is not in the ~~[child's]~~ best interests ~~[.]~~ *of the child*, as  
42 described in NRS 125E.230. If the court orders the Indian child to  
43 be returned to the custody of the former parent or prior Indian  
44 custodian, the ~~[court's]~~ order *of the court* must include a transition



1 plan for the physical custody of the child, which may include  
2 protective supervision.

3 ~~[9.]~~ 13. As used in this section:

4 (a) "Former parent" means a person who was previously the  
5 ~~[legal]~~ parent of an Indian child subject to an order ~~[or-decree]~~ of  
6 adoption under this chapter and whose parental rights have not been  
7 restored under NRS 127.1861.

8 (b) "Prior Indian custodian" means a person who was previously  
9 the custodian of an Indian child subject to an order ~~[or-decree]~~ of  
10 adoption of the child under this chapter.

11 **Sec. 144.** NRS 127.187 is hereby amended to read as follows:

12 127.187 1. ~~[The natural]~~ *Each* parent ~~[or-parents]~~ and ~~[the]~~  
13 *each* prospective adoptive parent ~~[or-parents]~~ of a child ~~[to-be~~  
14 ~~adopted]~~ *for adoption* may enter into an enforceable agreement that  
15 provides for postadoptive contact between:

16 (a) The child and ~~[his-or-her-natural]~~ *a* parent ; ~~[or-parents;]~~

17 (b) ~~[The]~~ *Each* adoptive parent ~~[or-parents]~~ and ~~[the-natural]~~  
18 *each* parent ; ~~[or-parents;]~~ or

19 (c) Any combination ~~[thereof.]~~ *of the persons described in*  
20 *paragraphs (a) and (b).*

21 2. An agreement that provides for postadoptive contact is  
22 enforceable if:

23 (a) The agreement is in writing ~~[and]~~ ;

24 (b) *The agreement is* signed by ~~[the-parties;]~~

25 ~~—(b)]~~ *each prospective adoptive parent;*

26 (c) *The agreement is signed by each parent before:*

27 (1) *The termination of the parental rights of the parent;*

28 (2) *The execution of a relinquishment; or*

29 (3) *The execution of a specific consent to adoption; and*

30 (d) The agreement is incorporated into an order ~~[or-decree]~~ of  
31 adoption . ~~[; and]~~

32 ~~—(c) In the case of an agreement that concerns a child who was in~~  
33 ~~the custody of an agency which provides child welfare services~~  
34 ~~before being adopted:~~

35 ~~—(1) The agency which provides child welfare services has~~  
36 ~~determined that the agreement is in the best interest of the child; or~~

37 ~~—(2) The court has determined, after a hearing, that the~~  
38 ~~agreement is in the best interest of the child.]~~

39 3. The identity of a ~~[natural]~~ parent is not required to be  
40 included in an agreement that provides for postadoptive contact ~~[. If]~~  
41 *, and if* such information is withheld, an agent who may receive  
42 service of process for the ~~[natural]~~ parent must be provided in the  
43 agreement.





1 4. A ~~natural~~ parent or adoptive parent who enters into an  
2 agreement that provides for postadoptive contact shall include in the  
3 agreement ~~an~~ :

4 (a) A *physical* address at which the ~~natural~~ parent or adoptive  
5 parent may receive service of a petition filed pursuant to NRS  
6 127.1885 ~~is~~ *by certified or registered mail, return receipt*  
7 *requested; or*

8 (b) *An electronic mail address at which the parent or adoptive*  
9 *parent may receive service of a petition filed pursuant to*  
10 *NRS 127.1885.*

11 5. If a ~~natural~~ parent or adoptive parent refuses or fails to  
12 include ~~such an~~ *a physical* address *or an electronic mail address*  
13 in an agreement that provides for postadoptive contact ~~is~~ *pursuant*  
14 *to subsection 4*, the court may, on the date on which the court enters  
15 an order ~~for decree~~ of adoption which incorporates the agreement,  
16 order the *child-placing* agency ~~which provides child-welfare~~  
17 ~~services~~ to provide the court with the ~~contact information~~  
18 *physical address* of the ~~natural~~ parent or adoptive parent who  
19 refused or failed to include ~~his or her~~ *the physical* address ~~is~~ *or*  
20 *electronic mail address.*

21 6. If a court ~~so~~ orders ~~is~~ *the provision of information*  
22 *pursuant to subsection 5*, the court shall:

23 (a) Append the *physical or electronic mail* address to the  
24 agreement for postadoptive contact; and

25 (b) Make the *physical or electronic mail* address available to  
26 any party to the agreement who wishes to file a petition pursuant to  
27 NRS 127.1885.

28 ~~is~~ 7. If a ~~natural~~ parent or adoptive parent changes ~~his or~~  
29 ~~her~~ *a physical* address *or electronic mail address* that was included  
30 in an agreement that provides for postadoptive contact pursuant to  
31 subsection 4, the parent *or adoptive parent, as applicable*, shall file  
32 with the clerk of the court notice of the change ~~of address within~~  
33 *not later than* 15 days after the change. ~~of address-~~

34 ~~6.~~ 8. A court that enters an order ~~for decree~~ of adoption  
35 which incorporates an agreement that provides for postadoptive  
36 contact shall retain jurisdiction to enforce, modify or terminate the  
37 agreement that provides for postadoptive contact until:

38 (a) The child reaches 18 years of age;

39 (b) The child becomes emancipated; or

40 (c) The agreement is terminated.

41 ~~7.~~ 9. The establishment of an agreement that provides for  
42 postadoptive contact does not affect the rights of an adoptive parent  
43 as the legal parent of the child as set forth in NRS 127.160.



1     **Sec. 145.** NRS 127.1875 is hereby amended to read as  
2 follows:

3     127.1875 1. Each prospective adoptive parent of a child to be  
4 adopted who enters into an agreement that provides for postadoptive  
5 contact pursuant to NRS 127.187 shall notify the court responsible  
6 for entering the order ~~{or decree}~~ of adoption ~~{of the child}~~ of the  
7 existence of the agreement as soon as practicable after the  
8 agreement is established ~~{}~~ *by the parties*, but not later than the time  
9 at which the court enters the order ~~{or decree}~~ of adoption . ~~{of the~~  
10 ~~child.}~~

11     2. Each {:

12     —(a) ~~Director}~~ *director* or other authorized representative of the  
13 ~~{agency which provides child welfare services or the licensed}~~ child-  
14 placing agency involved in the adoption proceedings concerning the  
15 child {;} and

16     ~~{(b) Attorney}~~ *each attorney* representing a prospective adoptive  
17 parent, the child {, ~~the agency which provides child welfare~~  
18 ~~services}~~ or the ~~{licensed}~~ child-placing agency in the adoption  
19 proceedings concerning the child {;

20     ↪} shall, as soon as practicable after obtaining actual knowledge  
21 that ~~{the}~~ *a* prospective adoptive parent ~~{or parents of the child}~~ and  
22 ~~{the natural}~~ *a* parent ~~{or parents of the child}~~ have entered into an  
23 agreement that provides for postadoptive contact pursuant to NRS  
24 127.187, notify the court responsible for entering the order ~~{or~~  
25 ~~decree}~~ of adoption ~~{of the child}~~ of the existence of the agreement.

26     **Sec. 146.** NRS 127.188 is hereby amended to read as follows:

27     127.188 1. Before a court may enter an order ~~{or decree}~~ of  
28 adoption , ~~{of a child,}~~ the court must address : ~~{in person:}~~

29     (a) Except as otherwise provided in subsection 2, each  
30 prospective adoptive parent of the child to be adopted;

31     (b) Each director or other authorized representative of the  
32 ~~{agency which provides child welfare services or the licensed}~~ child-  
33 placing agency involved in the adoption proceedings concerning the  
34 child; and

35     (c) Each attorney representing a prospective adoptive parent, the  
36 child, *and* the ~~{agency which provides child welfare services or the~~  
37 ~~licensed}~~ child-placing agency in the adoption proceedings  
38 concerning the child,

39     ↪ and inquire whether the person has actual knowledge that ~~{the}~~  
40 *any* prospective adoptive parent ~~{or parents of the child}~~ and  
41 ~~{natural}~~ *any* parent ~~{or parents}~~ of the child have entered into an  
42 agreement that provides for postadoptive contact pursuant to  
43 NRS 127.187.



1 2. The court may for purposes of subsection 1 address a  
2 prospective adoptive parent described in NRS 127.145 by telephone  
3 ~~[ ]~~ *or video conference*.

4 3. If the court determines that ~~[the]~~ *any* prospective adoptive  
5 parent ~~[or parents]~~ and ~~[the natural]~~ *any* parent ~~[or parents have]~~ *has*  
6 entered into an agreement that provides for postadoptive contact ~~[ ]~~  
7 *pursuant to NRS 127.187*, the court shall:

8 (a) Order the prospective adoptive parent ~~[or parents]~~ to provide  
9 a copy of the agreement to the court; and

10 (b) Incorporate the agreement into the order ~~[or decree]~~ of  
11 adoption.

12 **Sec. 147.** NRS 127.1885 is hereby amended to read as  
13 follows:

14 127.1885 1. A ~~[natural]~~ parent who has entered into an  
15 agreement that provides for postadoptive contact pursuant to NRS  
16 127.187 may, for good cause shown:

17 (a) Petition the court that entered the order ~~[or decree]~~ of  
18 adoption of the child to prove the existence of the agreement that  
19 provides for postadoptive contact and to request that the agreement  
20 be incorporated into the order ~~[or decree]~~ of adoption; and

21 (b) During the period set forth in subsection 2 of NRS 127.189,  
22 petition the court that entered the order ~~[or decree]~~ of adoption of  
23 the child to enforce the terms of the agreement that provides for  
24 postadoptive contact if the agreement complies with the  
25 requirements of subsection 2 of NRS 127.187.

26 2. An adoptive parent who has entered into an agreement that  
27 provides for postadoptive contact pursuant to NRS 127.187 may:

28 (a) During the period set forth in subsection 2 of NRS 127.189,  
29 petition the court that entered the order ~~[or decree]~~ of adoption of  
30 the child to enforce the terms of the agreement that provides for  
31 postadoptive contact if the agreement complies with the  
32 requirements of subsection 2 of NRS 127.187; and

33 (b) Petition the court that entered the order ~~[or decree]~~ of  
34 adoption of the child to modify or terminate the agreement that  
35 provides for postadoptive contact in the manner set forth in  
36 NRS 127.1895.

37 3. A petition filed pursuant to this section must be:

38 (a) Filed under the same case number as the proceeding for  
39 adoption;

40 (b) Served by the ~~[natural]~~ parent or adoptive parent who filed  
41 the petition ~~[using registered mail]~~ upon each other ~~[natural]~~ parent  
42 or adoptive parent, as applicable, who has entered into the  
43 agreement that provides for postadoptive contact ~~[at]~~ *using*  
44 ~~[address]~~ *method of service* provided pursuant to subsection 4 or 5  
45 of NRS 127.187; and



(c) Heard by:

(1) If ~~he or she is~~ available, the judge who issued the order ~~of decree~~ of adoption ; ~~of the child;~~

(2) If the judge described in subparagraph (1) is unavailable and if a family court has been established in the judicial district, a judge of the family court; or

(3) If the judge described in subparagraph (1) is unavailable and if a family court has not been established in the judicial district, any district judge of the judicial district.

**Sec. 148.** NRS 127.189 is hereby amended to read as follows:

127.189 1. ~~Failure~~ *The failure of a party* to comply with the terms of an agreement that provides for postadoptive contact entered into pursuant to NRS 127.187 may not be used as a ground to:

(a) Set aside an order ~~of decree~~ of adoption;

(b) Revoke, nullify or set aside a valid ~~release for or~~ *specific* consent to ~~an~~ adoption or a relinquishment ; ~~for adoption;~~ or

(c) Except as otherwise provided in NRS 41.509, award any civil damages to a party to the agreement.

2. Any action to enforce the terms of an agreement that provides for postadoptive contact must be commenced not later than 120 days after the date on which the agreement was breached ~~by~~ *a party.*

**Sec. 149.** NRS 127.1895 is hereby amended to read as follows:

127.1895 1. An agreement that provides for postadoptive contact entered into pursuant to NRS 127.187 may only be modified or terminated by an adoptive parent petitioning the court that entered the order ~~of decree~~ which included the agreement. ~~The~~

2. A court may *not* grant a request to modify or terminate ~~the~~ *an* agreement ~~only if:~~ *pursuant to subsection 1 unless:*

(a) The adoptive parent petitioning the court for the modification or termination establishes that:

(1) A change in circumstances warrants the modification or termination; and

(2) The contact provided for in the agreement is no longer in the best interests of the child; or

(b) Each party to the agreement consents to the modification or termination.

~~2.~~ 3. If an adoptive parent petitions the court for a modification or termination of an agreement pursuant to this section:

(a) There is a presumption that the modification or termination is in the best interests of the child; and

(b) The court may consider the wishes of the child involved in the agreement.



1 ~~[3.]~~ 4. Any order issued pursuant to this section to modify an  
2 agreement that provides for postadoptive contact:

3 (a) May limit, restrict, condition or decrease contact between the  
4 parties involved in the agreement; and

5 (b) May not expand or increase the contact between the parties  
6 involved in the agreement or place any new obligation on an  
7 adoptive parent.

8 **Sec. 150.** NRS 127.190 is hereby amended to read as follows:

9 127.190 1. Notwithstanding any other provision of law, ~~[any]~~  
10 *an adult [person]* may adopt any other adult *[person]* *if:*

11 (a) *The adult being adopted is not more than 10 years* younger  
12 than ~~[himself or herself, except]~~ *the adopting adult;*

13 (b) *The adult being adopted is not* the spouse of the adopting  
14 ~~[person, by]~~ *adult;*

15 (c) *The adults execute* an agreement of adoption *in accordance*  
16 *with subsection 2; and*

17 (d) *The agreement of adoption is* approved by ~~[a decree]~~ *an*  
18 *order* of adoption ~~[of the district court in the county in which either~~  
19 ~~the person adopting or the person adopted resides.]~~ *pursuant to*  
20 *NRS 127.210.*

21 2. ~~[The]~~ *An* agreement of adoption ~~[shall be]~~ *must:*

22 (a) *Be* in writing ~~[and shall be executed]~~ ;

23 (b) *Be signed* by the ~~[person]~~ adopting *adult* and the ~~[person to~~  
24 ~~be]~~ *adult being* adopted ~~[, and shall set]~~ ; *and*

25 (c) *Set* forth that the parties agree to assume ~~[toward each other]~~  
26 the legal relation of parent and child, and to have all of the rights  
27 and be subject to all of the duties and responsibilities of that  
28 relation.

29 **Sec. 151.** NRS 127.200 is hereby amended to read as follows:

30 127.200 1. ~~[A]~~ *An adult who is* married ~~[person]~~ *but who is*  
31 not lawfully separated from ~~[his or her]~~ *a* spouse may not adopt an  
32 adult ~~[person]~~ without ~~[the consent of]~~ the spouse of the adopting  
33 ~~[person,]~~ *adult agreeing to the adoption,* if such spouse is capable  
34 of giving ~~[such consent.]~~ *the agreement.*

35 2. ~~[A]~~ *An adult who is* married ~~[person]~~ *but who is* not  
36 lawfully separated from ~~[his or her]~~ *a* spouse may not be adopted  
37 without ~~[the consent of]~~ the spouse of the ~~[person to be]~~ *adult being*  
38 adopted ~~[,]~~ *agreeing to the adoption,* if such spouse is capable of  
39 giving ~~[such consent.]~~ *the agreement.*

40 3. ~~[Neither the consent]~~ *The agreement to the adoption* of ~~[the~~  
41 ~~natural]~~ *a* parent ~~[or parents]~~ of ~~[the person to be]~~ *an adult being*  
42 adopted, ~~[nor of]~~ the Division ~~[, nor of]~~ *or* any other person is *not*  
43 required ~~[,]~~ *for the adoption of the adult.*



1 **Sec. 152.** NRS 127.210 is hereby amended to read as follows:

2 127.210 1. ~~[[The]]~~ *An adult who is* adopting ~~[[person]]~~ *another*  
3 *adult* and the ~~[[person to be]]~~ *adult who is being* adopted may file in  
4 the district court in the county in which either *adult* resides a  
5 petition ~~[[praying]]~~ for approval of the agreement of adoption ~~[[by]]~~  
6 *and* the issuance of ~~[[a decree]]~~ *an order* of adoption.

7 2. *A petition for the adoption of an adult must contain:*

8 (a) *The full name and age of each adult;*

9 (b) *Set forth that the parties agree to assume the legal relation*  
10 *of parent and child;*

11 (c) *If an adult being adopted desires a new name, the name*  
12 *which the adult desires to bear in the future;*

13 (d) *If the adult desires an amended certificate of birth:*

14 (1) *The full name of each legal parent to appear on the*  
15 *amended certificate of birth; and*

16 (2) *The full name of any parent which appeared on the*  
17 *original certificate of birth but which will not be displayed on the*  
18 *amended certificate of birth; and*

19 (e) *A declaration that the petition complies with the law.*

20 3. The court shall fix a time and place for *a* hearing on the  
21 petition ~~[[, and both the person]]~~ *for adoption unless the hearing is*  
22 *waived by the court upon the request of the adopting adult and the*  
23 *adult being adopted.*

24 4. *Except as otherwise provided in subsection 3, the* adopting  
25 *adult* and the ~~[[person to be]]~~ *adult being* adopted shall appear at the  
26 hearing *on the petition* in person ~~[[, but if such]]~~ *or by video*  
27 *conference, unless the* appearance *of one or both of the adults* is  
28 impossible or impractical, *in which case, the* appearance may be  
29 made ~~[[for either or both of such persons]]~~ by counsel empowered in  
30 writing to make ~~[[such]]~~ *the* appearance.

31 ~~[[3.]]~~ 5. The court may require notice of the time and place of  
32 the hearing *described in subsection 3* to be served on other  
33 interested persons, and any such interested person may appear and  
34 object to the proposed adoption.

35 ~~[[4.]]~~ ~~No investigation or report to the court by any public officer~~  
36 ~~is required, but the court may require the Division to investigate the~~  
37 ~~circumstances and report thereon, with recommendations, to the~~  
38 ~~court before the hearing.~~

39 ~~—5.]~~ 6. At the hearing *described in subsection 3*, the court shall  
40 examine the ~~[[parties,]]~~ *adopting adult and the adult being adopted,*  
41 or the counsel of ~~[[any party]]~~ *such adults* not present in person ~~[[,]]~~ *or*  
42 *by video conference at the hearing.*

43 7. If the court is satisfied that the adoption will be for the best  
44 interests of the ~~[[parties and in the public interest,]]~~ *adopting adult*  
45 *and the adult to be adopted* and that there is ~~[[no]]~~ *not a* reason ~~[[why]]~~



1 *to deny* the petition , ~~[should not be granted,]~~ the court shall  
2 ~~[approve]~~ :

3 (a) *Approve* the agreement of adoption ~~[, and enter a decree]~~ ;

4 (b) *Enter an order* of adoption declaring that the ~~[person~~  
5 ~~adopted]~~ *adult being adopted* is the child of the ~~[person]~~ adopting  
6 ~~[him or her. Otherwise, the]~~ *adult; and*

7 (c) *Enter an order for a name change.*

8 8. *If the* court *is not satisfied under subsection 7, the court*  
9 shall withhold approval of the agreement *of adoption* and deny ~~[the~~  
10 ~~prayer of]~~ the petition ~~[.]~~ *for adoption.*

11 **Sec. 153.** NRS 127.220 is hereby amended to read as follows:

12 127.220 As used in NRS 127.220 to 127.310, inclusive, unless  
13 the context otherwise requires:

14 1. ~~["Agency which provides child welfare services" has the~~  
15 ~~meaning ascribed to it in NRS 432B.030.~~

16 ~~—2.]~~ "Arrange the placement of a child" means to make  
17 preparations for or bring about any agreement or understanding  
18 concerning the adoption of a child.

19 ~~[3. "Child placing agency" means a nonprofit corporation~~  
20 ~~organized pursuant to chapter 82 of NRS, and licensed by the~~  
21 ~~Division to place children for adoption or permanent free care.~~

22 ~~—4. "Person" includes a hospital.~~

23 ~~—5.]~~ 2. "Recommend the placement of a child" means to  
24 suggest to a child-placing agency that a prospective adoptive parent  
25 be allowed to adopt a specific child, born or in utero.

26 **Sec. 154.** NRS 127.230 is hereby amended to read as follows:

27 127.230 1. The Division shall:

28 (a) Establish reasonable minimum standards for child-placing  
29 agencies.

30 (b) In consultation with each agency which provides child  
31 welfare services, adopt:

32 (1) Regulations concerning the operation of ~~[an agency~~  
33 ~~which provides child welfare services and]~~ child-placing agencies.

34 (2) Regulations establishing the procedure to be used by ~~[an~~  
35 ~~agency which provides child welfare services and]~~ a child-placing  
36 agency in placing children for adoption, which must allow ~~[the~~  
37 ~~natural]~~ *each* parent ~~[or parents]~~ and ~~[the]~~ *each* prospective adoptive  
38 parent ~~[or parents]~~ to determine, by mutual ~~[consent,]~~ *agreement,*  
39 the amount of identifying information that will be communicated  
40 concerning each ~~[of them.]~~ *parent and prospective adoptive parent,*  
41 *respectively.*

42 (3) Any other regulations necessary to carry out its powers  
43 and duties regarding the adoption of children or the placement of  
44 children for adoption or permanent free care, including, without  
45 limitation, such regulations necessary to ensure compliance with the





1 provisions of this chapter and any regulations adopted pursuant  
2 thereto.

3 2. Each ~~[agency which provides child welfare services and]~~  
4 child-placing agency shall conform to the standards established and  
5 the regulations adopted pursuant to subsection 1.

6 **Sec. 155.** NRS 127.240 is hereby amended to read as follows:

7 127.240 1. Except as otherwise provided in this section, ~~[no]~~  
8 *a* person may *not* place, arrange the placement of, or assist in  
9 placing or in arranging the placement of, any child for adoption or  
10 permanent free care without securing and having in full force a  
11 license to operate a child-placing agency issued by the Division.  
12 This subsection applies to agents, servants, physicians and attorneys  
13 of parents or guardians, as well as to other persons.

14 2. This section does not prohibit a parent or guardian from  
15 placing, arranging the placement of, or assisting in placing or in  
16 arranging the placement of, any child for adoption or permanent free  
17 care if the placement is made pursuant to the provisions of NRS  
18 127.280, 127.2805 and ~~[127.2815.]~~ *127.2817.*

19 3. This section does not prohibit an agency which provides  
20 child welfare services from placing, arranging the placement of, or  
21 assisting in placing or in arranging the placement of, any child for  
22 adoption or permanent free care ~~[ ]~~ *pursuant to sections 2 to 75,*  
23 *inclusive, of this act.*

24 4. This section does not prohibit a person, including a person  
25 acting in ~~[his or her]~~ *the* professional capacity ~~[ ]~~ *of the person,*  
26 from sharing information regarding an adoption if ~~[no]~~ money or  
27 other valuable consideration is *not* paid:

- 28 (a) For such information; or  
29 (b) For any other service related to the adoption that is  
30 performed after sharing information.

31 **Sec. 156.** NRS 127.280 is hereby amended to read as follows:

32 127.280 1. A child may not be placed in the home of  
33 prospective adoptive parents ~~[for the 30-day residence in that home~~  
34 ~~which is required before the filing of a petition for adoption, except~~  
35 ~~where a]~~ *by a child-placement agency unless:*

36 (a) *The* child and one of the prospective adoptive parents are  
37 related *by blood* within the third degree of consanguinity ~~[, unless:~~  
38 ~~—(a)] ;~~

39 (b) The ~~[agency which provides child welfare services or a]~~  
40 child-placing agency first receives written notice of the proposed  
41 placement from:

- 42 (1) ~~[The]~~ *Each* prospective adoptive ~~[parents]~~ *parent* of the  
43 child;  
44 (2) The person recommending the placement; or  
45 (3) A ~~[natural]~~ parent;



1 ~~[(b)]~~ (c) The ~~[investigation required by the provisions of NRS~~  
2 ~~127.2805 has been completed;]~~ *completion of a home study*; and

3 ~~[(e)]~~ (d) In the case of ~~[a specific]~~ *an identified* adoption, ~~[the~~  
4 ~~natural]~~ *each* parent placing the child for adoption has had an  
5 opportunity to review the report on the ~~[investigation of the]~~ home  
6 ~~[.]~~ *study*, if possible.

7 2. Upon receipt of written notice from any person other than  
8 the ~~[natural]~~ parent ~~[.]~~ *under subsection 1*, the ~~[agency which~~  
9 ~~provides child welfare services or]~~ child-placing agency ~~[shall]~~ *must*  
10 communicate with the ~~[natural]~~ parent to confirm the ~~[natural~~  
11 ~~parent's]~~ *intention of the parent* to place the child for adoption with  
12 the prospective adoptive parents identified in the written notice.

13 **Sec. 157.** NRS 127.2805 is hereby amended to read as  
14 follows:

15 127.2805 1. ~~[The agency which provides child welfare~~  
16 ~~services or a]~~ *Except as otherwise provided in subsections 4, 5 and*  
17 *6, a child-placing agency shall ~~[, within]~~ conduct a home study of a*  
18 *prospective adoptive parent to determine the suitability of the*  
19 *home for placement of a child for adoption.*

20 2. *A home study described in subsection 1 must be completed*  
21 *not later than* 60 days after ~~[receipt of]~~ *receiving*:

22 (a) A confirmation of the ~~[natural parents']~~ *intent of each parent*  
23 *to place the child for adoption ; and [a]*

24 (b) A completed application for adoption from ~~[the]~~ *each*  
25 *prospective adoptive ~~[parents, complete an investigation of]~~ parent.*

26 3. *In conducting the home study pursuant to subsection 1, the*  
27 *child-placing agency shall investigate* the medical, mental,  
28 financial and moral ~~[backgrounds]~~ *background* of ~~[the]~~ *a*  
29 *prospective adoptive ~~[parents to determine the suitability of the~~*  
30 *home for placement of the child for adoption. The investigation*  
31 *must also embrace] parent and investigate* any other relevant factor  
32 relating to the qualifications of the prospective adoptive ~~[parents~~  
33 ~~and]~~ *parent.*

34 4. *A child-placing agency may ~~[be a]~~ substitute conducting a*  
35 *home study required by this section* for the *post-placement*  
36 *investigation required to be conducted by the child-placing* agency  
37 ~~[which provides child welfare services]~~ on behalf of the court when  
38 a petition for adoption is pending, if the petition for adoption is filed  
39 ~~[within]~~ *not later than* 6 months after the completion of the  
40 ~~[investigation required by this subsection. If a child-placing agency~~  
41 ~~undertakes the investigation, it shall provide progress reports to the~~  
42 ~~agency which provides child welfare services in such a format and~~  
43 ~~at such times as the agency which provides child welfare services~~  
44 ~~requires to ensure that the investigation will be completed within the~~  
45 ~~60 day period. If, at any time, the agency which provides child~~



1 ~~welfare services determines that it is unlikely that the investigation~~  
2 ~~will be completed in a timely manner, the agency which provides~~  
3 ~~child welfare services shall take over the investigation and complete~~  
4 ~~it within the 60-day period or as soon thereafter as practicable.~~

5 ~~—2.] home study.~~

6 5. If the ~~[placement is to be made in a]~~ home *of a prospective*  
7 *adoptive parent is located* outside of this ~~[state, the agency which~~  
8 ~~provides child welfare services or]~~ *State and the child for adoption*  
9 *is not related to at least one prospective adoptive parent by blood*  
10 *within the third degree of consanguinity*, a child-placing agency  
11 must receive a copy of a report ~~[, completed by]~~ *from* the  
12 appropriate authority ~~[,]~~ *in that state* of an investigation of the home  
13 *of the prospective adoptive parent* and the medical, mental,  
14 financial and moral ~~[backgrounds]~~ *background* of the prospective  
15 adoptive ~~[parents to]~~ *parent, which must be used* to determine the  
16 suitability of the home for placement of the child for adoption . ~~[~~  
17 ~~unless the child and one of the prospective adoptive parents are~~  
18 ~~related within the third degree of consanguinity.]~~

19 6. *A home study is not required in a closed-family adoption,*  
20 *confirmatory adoption or readoption.*

21 **Sec. 158.** NRS 127.281 is hereby amended to read as follows:

22 127.281 1. A prospective adoptive parent who is subject to  
23 ~~[an investigation by the agency which provides child welfare~~  
24 ~~services or a child placing agency must]~~ *a home study shall* submit  
25 as part of the ~~[investigation]~~ *home study* a complete set of ~~[his or~~  
26 ~~her]~~ fingerprints and written permission authorizing the ~~[agency~~  
27 ~~which provides child welfare services or]~~ child-placing agency to  
28 forward those fingerprints to the Central Repository for Nevada  
29 Records of Criminal History for submission to the Federal Bureau  
30 of Investigation ~~[,]~~ *for its report.*

31 2. The ~~[agency which provides child welfare services or]~~ child-  
32 placing agency may exchange with the Central Repository or the  
33 Federal Bureau of Investigation any information respecting the  
34 fingerprints submitted ~~[,]~~ *pursuant to subsection 1.*

35 3. When a report from the Federal Bureau of Investigation is  
36 received by the Central Repository, it ~~[shall]~~ *must* immediately  
37 forward a copy of the report to the ~~[agency which provides child~~  
38 ~~welfare services or]~~ child-placing agency that submitted the  
39 fingerprints ~~[,]~~ *pursuant to subsection 1.*

40 4. ~~[Any]~~ *A prospective adoptive parent shall pay the* fees for  
41 *the* fingerprinting and submission to the Central Repository and the  
42 Federal Bureau of Investigation ~~[must be paid by the prospective~~  
43 ~~adoptive parent, except that:~~



1 ~~—(a) In a county whose population is less than 100,000, the~~  
2 ~~Division may adopt regulations providing for the payment of those~~  
3 ~~fees by the Division; or~~

4 ~~—(b) In a county whose population is 100,000 or more, the board~~  
5 ~~of county commissioners may provide by ordinance for the payment~~  
6 ~~of those fees by the agency which provides child welfare services.]~~  
7 ~~required by subsection 1.~~

8 **Sec. 159.** NRS 127.2815 is hereby amended to read as  
9 follows:

10 127.2815 ~~[1.]~~ Pending *the* completion of the required  
11 ~~[investigation, the]~~ *home study, a* child must be:

12 ~~[(a)]~~ 1. Retained by ~~[the natural]~~ *a* parent; or

13 ~~[(b)]~~ 2. Placed by ~~[the natural]~~ *a* parent with the ~~[agency~~  
14 ~~which provides child welfare services or]~~ child-placing agency and  
15 placed by the ~~[agency which provides child welfare services or]~~  
16 child-placing agency in a foster home licensed pursuant to  
17 NRS 424.030,

18 ~~↪~~ until a determination is made concerning the suitability of the  
19 prospective adoptive parents.

20 ~~[2.— Upon completion of the investigation, the agency which~~  
21 ~~provides child welfare services or child placing agency shall~~  
22 ~~forthwith inform the natural parent, the person recommending the~~  
23 ~~placement and the prospective adoptive parents of the decision to~~  
24 ~~approve or deny the placement. If the prospective adoptive home is~~  
25 ~~found:~~

26 ~~—(a) Suitable, the natural parent may execute a consent to a~~  
27 ~~specific adoption pursuant to NRS 127.053, if not previously~~  
28 ~~executed, and then the child may be placed in the home of the~~  
29 ~~prospective adoptive parents for the purposes of adoption.~~

30 ~~—(b) Unsuitable or detrimental to the interest of the child, the~~  
31 ~~agency which provides child welfare services or child placing~~  
32 ~~agency shall file an application in the district court for an order~~  
33 ~~prohibiting the placement. If the court determines that the placement~~  
34 ~~should be prohibited, the court may nullify the written consent to the~~  
35 ~~specific adoption and order the return of the child to the care and~~  
36 ~~control of the parent who executed the consent, but if the parental~~  
37 ~~rights of the parent have been terminated by a relinquishment or a~~  
38 ~~final order of a court of competent jurisdiction or if the parent does~~  
39 ~~not wish to accept the child, then the court may order the placement~~  
40 ~~of the child with the agency which provides child welfare services~~  
41 ~~or a child placing agency for adoption.]~~

42 **Sec. 160.** NRS 127.2817 is hereby amended to read as  
43 follows:

44 127.2817 1. The Division, in consultation with each agency  
45 which provides child welfare services, shall adopt regulations



1 setting forth the criteria to be used by ~~[an agency which provides~~  
2 ~~child welfare services or]~~ a child-placing agency for determining  
3 whether a prospective adoptive home is suitable or unsuitable for  
4 the placement of a child for adoption.

5 2. Upon the completion of ~~[an]~~ *a post-placement* investigation  
6 ~~[conducted by an agency which provides child welfare services or a~~  
7 ~~child placing agency pursuant to NRS 127.120]~~ or ~~[127.2805,]~~ *a*  
8 *home study*, the ~~[agency which provides child welfare services or]~~  
9 child-placing agency ~~[shall]~~ *must* inform ~~[the]~~ *each* prospective  
10 adoptive parent ~~[or parents]~~ of the *initial* results of the investigation  
11 ~~[.]~~ *or home study*.

12 3. If, pursuant to the investigation ~~[, a]~~ *or home study*, an  
13 *initial* determination is made that a prospective adoptive home is  
14 unsuitable for placement or detrimental to the interest of the child,  
15 the ~~[agency which provides child welfare services or]~~ child-placing  
16 agency ~~[shall]~~ *must* provide ~~[the]~~ *each* prospective adoptive parent  
17 ~~[or parents]~~ with an opportunity to review and respond to the  
18 investigation *or home study* with the ~~[agency which provides child~~  
19 ~~welfare services or]~~ child-placing agency before the issuance of the  
20 *official* results of the investigation ~~[.]~~ *or home study*.

21 4. *Upon the issuance of the official results of the*  
22 *investigation or home study pursuant to subsection 3, the child-*  
23 *placing agency shall inform each parent, the person*  
24 *recommending the placement and each prospective adoptive*  
25 *parent of the official results.*

26 5. *If the child-placing agency determines in the official*  
27 *results of the investigation or home study that the prospective*  
28 *adoptive home is:*

29 (a) *Suitable, the parent may execute a specific consent to*  
30 *adoption pursuant to NRS 127.053, if not previously executed, and*  
31 *the child may be placed in the home of the prospective adoptive*  
32 *parents for the purposes of adoption.*

33 (b) *Unsuitable or detrimental to the interest of the child, the*  
34 *child-placing agency shall file an application in the district court*  
35 *for an order prohibiting the placement.*

36 6. *If a child-placing agency files an application in the district*  
37 *court for an order prohibiting the placement and the court*  
38 *prohibits the placement, the court may nullify the specific consent*  
39 *to adoption and order the return of the child to the care and*  
40 *control of the parent who executed the specific consent, but if the*  
41 *parental rights of the parent have been terminated by a*  
42 *relinquishment or a final order of a court of competent*  
43 *jurisdiction or if the parent does not wish to accept the child, the*  
44 *court may order the placement of the child with a child-placing*  
45 *agency for adoption.*



1 7. Except as otherwise provided in NRS 239.0115, the identity  
2 of ~~those persons~~ *a person* who ~~are~~ *is* interviewed or ~~submit~~  
3 *submits* information concerning the investigation *or home study*  
4 must remain confidential.

5 ~~[3.—An agency which provides child welfare services or a]~~

6 8. A child placing agency shall not determine that a prospective  
7 adoptive home is unsuitable for placement or detrimental to the  
8 interest of the child solely because ~~the~~ *a* prospective adoptive  
9 parent : ~~or parents:~~

10 (a) ~~Are~~ *Is* deaf, ~~are~~ *is* blind or ~~have~~ *has* another physical  
11 disability; or

12 (b) ~~Are~~ *Is* the ~~holders~~ *holder* of a valid registry identification  
13 card.

14 ~~[4.]~~ 9. As used in this section:

15 (a) “Blind” has the meaning ascribed to it in NRS 426.082.

16 (b) “Holder of a valid registry identification card” means a  
17 person who holds a valid registry identification card as defined in  
18 NRS 678C.080 that identifies the person as:

19 (1) Exempt from state prosecution for engaging in the  
20 medical use of cannabis; or

21 (2) A designated primary caregiver as defined in  
22 NRS 678C.040.

23 **Sec. 161.** NRS 127.2825 is hereby amended to read as  
24 follows:

25 127.2825 A child-placing agency shall, to the extent  
26 practicable, give preference to the placement of a child for adoption  
27 or permanent free care together with ~~his or her~~ *the* siblings ~~of~~  
28 *the child*.

29 **Sec. 162.** NRS 127.2827 is hereby amended to read as  
30 follows:

31 127.2827 1. If a child who is in the custody of ~~an~~ *a child-*  
32 *placing* agency ~~which provides child welfare services~~ is placed for  
33 adoption, the agency must provide the court which is conducting the  
34 adoption proceedings with a copy of any order for visitation with a  
35 sibling of the child that was issued pursuant to NRS 432B.580 . ~~and~~  
36 ~~the court must conduct a hearing to determine whether to include an~~  
37 ~~order for visitation with a sibling in the decree of adoption.]~~

38 2. The court shall incorporate an order for visitation provided  
39 to the court pursuant to subsection 1 into the ~~decree~~ *order* of  
40 adoption unless, not later than 30 days after notice of the filing of  
41 the petition for adoption is provided to all legal custodians or  
42 guardians of the child who are required to be provided with such  
43 notice pursuant to NRS 127.123, any interested party in the  
44 adoption, including, without limitation, the *prospective* adoptive  
45 parent, the adoptive child, a sibling of the adoptive child ~~or~~ *or* the



1 ~~[agency which provides child welfare services or a licensed]~~ child-  
2 placing agency petitions the court to exclude the order ~~[of]~~ *for*  
3 visitation with a sibling from the ~~[decree]~~ *order* of adoption or  
4 amend the order for visitation before including the order *for*  
5 *visitation* in the ~~[decree]~~ *order* of adoption.

6 3. The hearing on a petition *to amend or exclude the order for*  
7 *visitation* submitted pursuant to subsection 2 must be held on ~~[a~~  
8 ~~different date than]~~ *the same day as* the hearing on the petition for  
9 adoption.

10 4. Any interested party is entitled to participate in the hearing  
11 ~~[.]~~ *on the petition to exclude or amend the order for visitation*  
12 *submitted pursuant to subsection 2.*

13 5. The clerk of the court shall give written notice of the time  
14 and place of the hearing *on the petition to exclude or amend the*  
15 *order for visitation submitted pursuant to subsection 2* to ~~[the]~~  
16 *each prospective* adoptive parent, the adoptive child, a sibling of the  
17 adoptive child, the attorney for the adoptive child or a sibling of the  
18 adoptive child ~~[.]~~ *and* the ~~[agency which provides child welfare~~  
19 ~~services and a licensed]~~ child-placing agency.

20 6. Upon the petition of a sibling requesting the inclusion of an  
21 order for visitation in the ~~[decree]~~ *order* of adoption, the court may  
22 require ~~[the agency which provides child welfare services or]~~  
23 the child-placing agency to provide the clerk of the court with the  
24 contact information of the *prospective* adoptive parent, the adoptive  
25 child and the attorney for the adoptive child.

26 7. If ~~[so]~~ *a child-placing agency is* ordered ~~[, the agency which~~  
27 ~~provides child welfare services or]~~ *to provide contact information*  
28 *pursuant to subsection 6,* the child-placing agency must provide  
29 such contact information under seal.

30 ~~[4.]~~ 8. The sole consideration of the court in making a  
31 determination concerning visitation with a sibling pursuant to this  
32 section is the best interest of the child.

33 9. If a petition *to amend or exclude an order for visitation* is  
34 submitted pursuant to subsection 2, the court must not enter ~~[a~~  
35 ~~decree]~~ *an order* of adoption until the court has made a  
36 determination concerning visitation with a sibling.

37 ~~[5.]~~ 10. If an order for visitation with a sibling is included in ~~[a~~  
38 ~~decree]~~ *an order* of adoption, the court shall, upon the request of a  
39 party to the order ~~[.]~~ *for visitation,* provide to the party the case  
40 number of the adoption proceeding and any documents or records  
41 necessary to enforce *, modify or terminate* the order ~~[.]~~ *for*  
42 *visitation.*

43 ~~[6.]~~ 11. A party to an order for visitation *with a sibling* may  
44 petition for enforcement *, modification or termination* of the order  
45 at any time while the order is in effect.





1       **12.** A person who fails to comply with the order *for visitation*  
2 *with a sibling* is in contempt of court.

3       **13.** If a party to an order for visitation *with a sibling* withholds  
4 the contact information of any person in violation of the order, the  
5 court may order the ~~{agency which provides child welfare services~~  
6 ~~or a licensed}~~ child-placing agency to provide such contact  
7 information to the court under seal.

8       **Sec. 163.** NRS 127.283 is hereby amended to read as follows:

9       127.283 1. ~~{An agency which provides child welfare services~~  
10 ~~or any}~~ A child-placing agency may ~~{publish in any newspaper~~  
11 ~~published in this state or broadcast by television a}~~ *advertise:*

12       (a) *The* photograph of and relevant personal information  
13 concerning ~~{any}~~ *a child in this State* who is ~~{difficult to place}~~  
14 *available* for adoption ~~{}~~; *or*

15       (b) *Any information concerning the ability of the child-placing*  
16 *agency to place, locate or receive children for adoption.*

17       2. A child-placing agency shall ~~{not publish or broadcast:~~

18 ~~—(a) Any personal information which reveals the identity of the~~  
19 ~~child or his or her parents; or~~

20 ~~—(b) A photograph or personal information for a child without the~~  
21 ~~prior approval of the agency having actual custody of the child.}~~  
22 *include in each advertisement authorized under subsection 1, a*  
23 *statement which:*

24       (a) *Confirms that the child-placing agency holds a valid,*  
25 *unrevoked license issued by the Division;*

26       (b) *Indicates the license number issued to the child-placing*  
27 *agency by the Division; and*

28       (c) *Indicates that only agencies which provide child welfare*  
29 *services and child-placing agencies may provide adoption services*  
30 *under the laws of this State.*

31       3. *A person that is licensed in or otherwise qualified under*  
32 *the laws of another state to place children for adoption or*  
33 *permanent free care in that state shall not advertise that:*

34       (a) *A child in this State is available for adoption; or*

35       (b) *The person is able to place, locate or receive a child for*  
36 *adoption in this State.*

37       4. *A person who publishes an advertisement of a child-*  
38 *placing agency described in subsection 1 shall not fail to include*  
39 *the license number of the child-placing agency.*

40       5. *A person that violates the provisions of subsection 3 or 4 is*  
41 *guilty of a category D felony and shall be punished as provided in*  
42 *NRS 193.130.*

43       6. *A periodical, newspaper, radio station, Internet website or*  
44 *other public medium is not subject to any criminal penalty or civil*



1 *liability for disseminating an advertisement that violates the*  
2 *provisions of this section.*

3 7. As used in this section:

4 (a) "Advertise" or "advertisement" means a communication  
5 that originates within this State by any public medium, including,  
6 without limitation, a newspaper, periodical, article, notice,  
7 magazine, telephone book listing, outdoor advertising, billboard,  
8 sign, radio, television or computerized communication system,  
9 including, without limitation, electronic mail, an Internet website  
10 and an Internet account.

11 (b) "Internet account" means an account created within a  
12 bounded system established by an Internet-based service that  
13 requires a user to input or store information in an electronic  
14 device in order to view, create, use or edit the account information,  
15 profile, display, communications or stored data of the user.

16 **Sec. 164.** NRS 127.285 is hereby amended to read as follows:

17 127.285 1. ~~{Any}~~ Except as otherwise provided in  
18 subsection 2, if an adoption would be governed by the provisions  
19 of this chapter, an attorney licensed to practice law in this ~~{state}~~  
20 State or in any other state ~~{~~

21 — ~~{a} May~~ may not receive compensation for:

22 ~~{(1)}~~ (a) Taking part in finding ~~{children}~~ a child for  
23 adoption; or

24 ~~{(2)}~~ (b) Finding ~~{parents}~~ a person to adopt ~~{children.}~~ a  
25 child.

26 ~~{(b) May}~~

27 2. An attorney licensed to practice law in this State or in any  
28 other state may receive a reasonable compensation for legal services  
29 provided in relation to adoption proceedings ~~{ }~~ governed by the  
30 provisions of this chapter.

31 ~~{2.— An agency which provides child welfare services}~~

32 3. A child-placement agency shall report ~~{any}~~ a violation of  
33 subsection 1 to ~~{the}~~ :

34 (a) The State Bar of Nevada if the alleged violator is licensed to  
35 practice law in this ~~{state,}~~ State; or ~~{to the}~~

36 (b) The bar association of the state in which the alleged violator  
37 is licensed to practice ~~{ }~~ law.

38 ~~{3.— Any}~~

39 4. A person who violates the provisions of subsection 1 is  
40 guilty of a misdemeanor.

41 **Sec. 165.** NRS 127.287 is hereby amended to read as follows:

42 127.287 1. Except as otherwise provided in subsection 3, if  
43 an adoption would be governed by the provisions of this chapter, it  
44 is unlawful for ~~{any}~~ a person to pay or offer to pay money or



1 anything of value to the ~~[natural]~~ parent of a child in return for ~~[the~~  
2 ~~natural parent's]~~ :

3 (a) *The placement by the parent* of the child for adoption ~~[or]~~ ;

4 (b) *The execution of a relinquishment*;

5 (c) *The execution of specific* consent to *adoption*; or

6 (d) *The cooperation of the parent* in the adoption of the child.

7 2. ~~[H]~~ *If an adoption would be governed by the provisions of*  
8 *this chapter, it* is unlawful for ~~[any]~~ a person to receive payment for  
9 medical and other necessary expenses related to the birth of a child  
10 from a prospective adoptive parent with the intent of not consenting  
11 to or completing the adoption of the child.

12 3. ~~[A]~~ *If an adoption would be governed by the provisions of*  
13 *this chapter, a* person may pay the medical and other necessary  
14 living expenses related to the birth of a child of another as an act of  
15 charity so long as the payment is not contingent upon ~~[the natural~~  
16 ~~parent's]~~ :

17 (a) *The placement by the parent* of the child for adoption ~~[or]~~ ;

18 (b) *The execution of a relinquishment*;

19 (c) *The execution of specific* consent to *adoption*; or

20 (d) *The cooperation of the parent* in the adoption of the child.

21 4. This section does not prohibit a ~~[natural]~~ parent from  
22 refusing to place a child for adoption after its birth.

23 5. The provisions of this section do not apply if a woman  
24 enters into a lawful contract to act as a gestational carrier, as defined  
25 in NRS 126.580.

26 6. *A person who violates subsection 1 is guilty of a category D*  
27 *felony and shall be punished as provided in NRS 193.130.*

28 7. *A person who violates subsection 2 is guilty of a gross*  
29 *misdemeanor.*

30 **Sec. 166.** NRS 127.290 is hereby amended to read as follows:

31 127.290 1. Except as otherwise provided in NRS ~~[127.275~~  
32 ~~and]~~ 127.285, ~~[no]~~ a person who does not have in full force a license  
33 to operate a child-placing agency may *not* request or accept, directly  
34 or indirectly, any compensation or thing of value for ~~[placing,~~  
35 ~~arranging]~~ :

36 (a) *Placing a child for adoption or permanent free care*;

37 (b) *Arranging* the placement of ~~[a]~~ *a child for adoption or*  
38 *permanent free care*; or ~~[assisting]~~

39 (c) *Assisting* in placing or arranging the placement of ~~[, any]~~ a  
40 child for adoption or permanent free care.

41 2. A licensed child-placing agency may accept fees for  
42 operational expenses.

43 **Sec. 167.** NRS 127.300 is hereby amended to read as follows:

44 127.300 1. Except as otherwise provided in NRS ~~[127.275,~~  
45 127.285, 200.463, 200.4631, 200.464 and 200.465, *it is unlawful*



1 *for* a person , ~~[who,]~~ without holding a valid license to operate a  
2 child-placing agency issued by the Division, ~~[requests or receives,]~~  
3 *to request or receive*, directly or indirectly, any compensation or  
4 thing of value for ~~[placing, arranging] :~~

5 (a) *Placing a child for adoption or permanent free care;*

6 (b) *Arranging* the placement of ~~[,] a child for adoption or~~  
7 *permanent free care;* or ~~[assisting]~~

8 (c) *Assisting* in placing or arranging the placement of ~~[any] a~~  
9 child for adoption or permanent free care .

10 2. *A person who violates the provisions of subsection 1* is  
11 guilty of a category D felony and shall be punished as provided in  
12 NRS 193.130.

13 ~~[2.—The natural parents and the adopting parents are]~~

14 3. *A parent or adoptive parent is* not ~~[accomplies] an~~  
15 *accomplice* for the purpose of this section.

16 **Sec. 168.** NRS 127.310 is hereby amended to read as follows:

17 127.310 1. Except as otherwise provided in NRS 127.240 ~~[,~~  
18 ~~127.283]~~ and 127.285, ~~[any] it is unlawful for a~~ person ~~[or~~  
19 ~~organization]~~ other than an agency which provides child welfare  
20 services , ~~[who,]~~ without holding a valid unrevoked license to place  
21 children for adoption issued by the Division ~~[,]~~ , *to:*

22 (a) ~~[Places, arranges] Place a child for adoption or permanent~~  
23 *free care:*

24 (b) *Arrange* the placement of ~~[,] a child for adoption or~~  
25 *permanent free care;* or ~~[assists]~~

26 (c) *Assist* in placing or in arranging the placement of ~~[, any] a~~  
27 child for adoption or permanent free care . ~~[, or~~

28 ~~—(b) Advertises that he or she will place children for adoption or~~  
29 ~~permanent free care, or accept, supply, provide or obtain children~~  
30 ~~for adoption or permanent free care, or causes any advertisement to~~  
31 ~~be disseminated soliciting, requesting or asking for any child or~~  
32 ~~children for adoption or permanent free care,~~  
33 ~~→ is guilty of a misdemeanor.]~~

34 2. ~~[Any person who places, accepts placement of, or aids, abets~~  
35 ~~or counsels the placement of any child in violation of NRS 127.280,~~  
36 ~~127.2805 and 127.2815 is guilty of a misdemeanor.~~

37 ~~—3.— A periodical, newspaper, radio station, Internet website or~~  
38 ~~other public medium is not subject to any criminal penalty or civil~~  
39 ~~liability for disseminating an advertisement that violates the~~  
40 ~~provisions of this section.~~

41 ~~—4.— A child placing agency shall include in any advertisement~~  
42 ~~concerning its services a statement which:~~

43 ~~—(a) Confirms that the child placing agency holds a valid,~~  
44 ~~unrevoked license issued by the Division; and~~



1 ~~—(b) Indicates any license number issued to the child placing~~  
2 ~~agency by the Division.~~

3 ~~—5. As used in this section:~~

4 ~~—(a) “Advertise” or “advertisement” means a communication that~~  
5 ~~originates within this State by any public medium, including,~~  
6 ~~without limitation, a newspaper, periodical, telephone book listing,~~  
7 ~~outdoor advertising, sign, radio, television or a computerized~~  
8 ~~communication system, including, without limitation, electronic~~  
9 ~~mail, an Internet website or an Internet account.~~

10 ~~—(b) “Internet account” means an account created within a~~  
11 ~~bounded system established by an Internet based service that~~  
12 ~~requires a user to input or store information in an electronic device~~  
13 ~~in order to view, create, use or edit the account information, profile,~~  
14 ~~display, communications or stored data of the user.]~~ *A person who*  
15 *violates the provisions of subsection 1 is guilty of a category D*  
16 *felony and shall be punished as provided in NRS 193.130.*

17 **Sec. 169.** NRS 128.110 is hereby amended to read as follows:

18 128.110 1. Whenever the procedure described in this chapter  
19 has been followed, and upon finding grounds for the termination of  
20 parental rights pursuant to NRS 128.105 at a hearing upon the  
21 petition, the court shall make a written order, signed by the judge  
22 presiding in the court, judicially depriving the parent or parents of  
23 the custody and control of, and terminating the parental rights of the  
24 parent or parents with respect to the child, and declaring the child to  
25 be free from such custody or control, and placing the custody and  
26 control of the child in some person or agency qualified by the laws  
27 of this State to provide services and care to children, or to receive  
28 any children for placement.

29 2. The termination of parental rights pursuant to this section  
30 does not terminate the right of the child to inherit from ~~[his or her]~~ *a*  
31 *parent [or parents.] of the child,* except that the right to inherit  
32 terminates if the child is adopted as provided in NRS 127.160 ~~[~~  
33 ~~—2.] or section 49 of this act.~~

34 3. If the child is placed in the custody and control of a person  
35 or agency qualified by the laws of this State to receive children for  
36 placement, the person or agency, in seeking to place the child:

37 (a) May give preference to the placement of the child with any  
38 person related within the fifth degree of consanguinity to the child  
39 whom the person or agency finds suitable and able to provide proper  
40 care and guidance for the child, regardless of whether the relative  
41 resides within this State.

42 (b) Shall, if practicable, give preference to the placement of the  
43 child together with ~~[his or her]~~ *the siblings [-] of the child.*

44 ↗ Any search for a relative with whom to place a child pursuant to  
45 this subsection must be completed within 1 year after the initial



1 placement of the child outside of ~~his or her~~ *the* home ~~of~~ *of the*  
2 *child.*

3 **Sec. 170.** NRS 3.223 is hereby amended to read as follows:

4 3.223 1. Except as otherwise provided in NRS 125E.270, in  
5 each judicial district in which it is established, the family court has  
6 original, exclusive jurisdiction in any proceeding:

7 (a) Brought pursuant to title 5 of NRS or chapter 31A, 123, 125,  
8 125A, 125B, 125C, 126, 127, 128, 129, 130, 159A, 425 or 432B of  
9 NRS, *or sections 2 to 75, inclusive, of this act*, except to the extent  
10 that a specific statute authorizes the use of any other judicial or  
11 administrative procedure to facilitate the collection of an obligation  
12 for support.

13 (b) Brought pursuant to NRS 442.255 and 442.2555 to request  
14 the court to issue an order authorizing an abortion.

15 (c) For judicial approval of the marriage of a minor.

16 (d) Otherwise within the jurisdiction of the juvenile court.

17 (e) To establish the date of birth, place of birth or parentage of a  
18 minor.

19 (f) To change the name of a minor.

20 (g) For a judicial declaration of the sanity of a minor.

21 (h) To approve the withholding or withdrawal of life-sustaining  
22 procedures from a person as authorized by law.

23 (i) Brought pursuant to NRS 433A.200 to 433A.330, inclusive,  
24 for an involuntary court-ordered admission to a mental health  
25 facility.

26 (j) Brought pursuant to NRS 433A.335 to 433A.345, inclusive,  
27 to require a person to receive assisted outpatient treatment.

28 (k) Brought pursuant to NRS 441A.505 to 441A.720, inclusive,  
29 for an involuntary court-ordered isolation or quarantine.

30 2. The family court, where established and, except as otherwise  
31 provided in paragraph (m) of subsection 1 of NRS 4.370, the justice  
32 court have concurrent jurisdiction over actions for the issuance of a  
33 temporary or extended order for protection against domestic  
34 violence.

35 3. The family court, where established, and the district court  
36 have concurrent jurisdiction over any action for damages brought  
37 pursuant to NRS 41.134 by a person who suffered injury as the  
38 proximate result of an act that constitutes domestic violence.

39 **Sec. 171.** NRS 19.034 is hereby amended to read as follows:

40 19.034 1. ~~If the agency which provides child welfare~~  
41 ~~services, or a] The clerk of the court shall reduce the total filing~~  
42 ~~fee to not more than \$1 for the filing of a petition to adopt a child~~  
43 ~~with special needs if:~~

44 (a) A child-placing agency ~~licensed by the Division of Child~~  
45 ~~and Family Services of the Department of Health and Human~~



1 ~~Services pursuant to chapter 127 of NRS,]~~ consents to the adoption  
2 of ~~[a]~~ *the* child with special needs pursuant to NRS 127.186 ~~[, the~~  
3 ~~clerk of the court shall reduce the total filing fee to not more than \$1~~  
4 ~~for filing the petition to adopt such a child.]; or~~

5 *(b) An agency which provides child welfare services consents*  
6 *to the adoption of the child with special needs pursuant to section*  
7 *53 of this act.*

8 2. ~~[If a natural]~~ *The court shall reduce the total filing fee to*  
9 *not more than \$1:*

10 *(a) If a* parent or adoptive parent who has entered into an  
11 agreement that provides for postadoptive contact pursuant to NRS  
12 127.187 files a petition pursuant to subsection 1 or 2 of NRS  
13 127.1885 ~~[, the clerk of the court shall reduce the total filing fee to~~  
14 ~~not more than \$1 for filing the petition.]; or~~

15 *(b) If a parent or adoptive parent who has entered into an*  
16 *agreement that provides for postadoptive contact pursuant to*  
17 *section 59 of this act files a petition pursuant to subsection 1 or 2*  
18 *of section 62 of this act.*

19 **Sec. 172.** NRS 19.050 is hereby amended to read as follows:

20 19.050 Except as otherwise provided in subsection ~~[8]~~ *3* of  
21 NRS 127.186 ~~[;]~~ *or subsection 9 of section 53 of this act*, when by  
22 law any publication is required to be made by a clerk of the court of  
23 any suit, process, notice, order or other paper, the cost of such  
24 publication shall, if demanded, be tendered by the party to whom  
25 such order, process, notice or other paper was granted before the  
26 clerk of the court shall be compelled to make publication thereof.

27 **Sec. 173.** Chapter 41 of NRS is hereby amended by adding  
28 thereto a new section to read as follows:

29 *The provisions of NRS 41.270, 41.280 and 41.290 do not*  
30 *govern a request to change the name of an adult who is being*  
31 *adopted in accordance with the procedures established under*  
32 *chapter 127 of NRS if the request to change the name of the adult*  
33 *is included in a petition for adoption as prescribed by*  
34 *NRS 127.210.*

35 **Sec. 174.** NRS 41.509 is hereby amended to read as follows:

36 41.509 1. A ~~[natural]~~ parent of an adopted child who has  
37 entered into an agreement that provides for postadoptive contact  
38 pursuant to NRS 127.187 *or section 59 of this act* may bring a civil  
39 action against a person if:

40 (a) The person knowingly provided false information in  
41 response to a question asked by a court pursuant to NRS 127.188 ~~[;]~~  
42 *or section 61 of this act, as applicable;* and

43 (b) The provision of false information caused the court not to  
44 incorporate the agreement that provides for postadoptive contact in





1 the order ~~[or decree]~~ of adoption pursuant to NRS 127.188 ~~[ ]~~ *or*  
2 *section 61 of this act, as applicable.*

3 2. If a person is liable to a ~~[natural]~~ parent of an adopted child  
4 pursuant to subsection 1, the ~~[natural]~~ parent may recover ~~[his-or~~  
5 ~~her]~~ actual damages, costs, reasonable attorney's fees and any  
6 punitive damages that the facts may warrant.

7 3. The liability imposed by this section is in addition to any  
8 other liability imposed by law.

9 **Sec. 175.** NRS 134.190 is hereby amended to read as follows:

10 134.190 An adopted child and ~~[his-or-her]~~ *the* adoptive parents  
11 *of the child* or ~~[their]~~ *the* relatives *of the adoptive parents* shall  
12 inherit as provided in NRS 127.160 ~~[ ]~~ *or section 49 of this act.*

13 **Sec. 176.** NRS 200.4685 is hereby amended to read as  
14 follows:

15 200.4685 1. Except as otherwise provided in this section, a  
16 person shall not:

17 (a) Recruit, transport, transfer, harbor, provide, obtain, maintain  
18 or solicit a child in furtherance of a transaction, or advertise or  
19 facilitate a transaction, pursuant to which a parent of the child or a  
20 person with custody of the child places the child in the physical  
21 custody of another person who is not a relative of the child, for the  
22 purpose of permanently avoiding or divesting himself or herself of  
23 responsibility for the child.

24 (b) Sell, transfer or arrange for the sale or transfer of a child to  
25 another person for money or anything of value or receive a child in  
26 exchange for money or anything of value.

27 2. The provisions of subsection 1 do not apply to:

28 (a) A placement of a child with a relative, stepparent, child-  
29 placing agency or an agency which provides child welfare services;

30 (b) A placement of a child by a child-placing agency or an  
31 agency which provides child welfare services;

32 (c) A temporary placement of a child with another person by a  
33 parent of the child or a person with legal or physical custody of the  
34 child, with an intent to return for the child, including, without  
35 limitation, a temporary placement of a child while the parent of the  
36 child or the person with legal or physical custody of the child is on  
37 vacation, incarcerated, serving in the military, receiving medical  
38 treatment or incapacitated;

39 (d) A placement of a child in accordance with NRS 127.330,  
40 159A.205 or 159A.215;

41 (e) A placement of a child that is approved by a court of  
42 competent jurisdiction; or

43 (f) Delivery of a child to a provider of emergency services  
44 pursuant to NRS 432B.630.



1 3. A person who violates the provisions of subsection 1 is  
2 guilty of trafficking in children and shall be punished for a category  
3 C felony as provided in NRS 193.130.

4 4. As used in this section:

5 (a) "Advertise" has the meaning ascribed to it in NRS ~~[127.310.]~~  
6 **127.283.**

7 (b) "Agency which provides child welfare services" has the  
8 meaning ascribed to it in NRS 432B.030.

9 (c) "Child" means a person who is less than 18 years of age.

10 (d) "Child-placing agency" has the meaning ascribed to it in  
11 ~~[NRS 127.220.]~~ **section 82 of this act.**

12 **Sec. 177.** NRS 232.320 is hereby amended to read as follows:

13 232.320 1. The Director:

14 (a) Shall appoint, with the consent of the Governor,  
15 administrators of the divisions of the Department, who are  
16 respectively designated as follows:

17 (1) The Administrator of the Aging and Disability Services  
18 Division;

19 (2) The Administrator of the Division of Welfare and  
20 Supportive Services;

21 (3) The Administrator of the Division of Child and Family  
22 Services;

23 (4) The Administrator of the Division of Health Care  
24 Financing and Policy; and

25 (5) The Administrator of the Division of Public and  
26 Behavioral Health.

27 (b) Shall administer, through the divisions of the Department,  
28 the provisions of chapters 63, 424, 425, 427A, 432A to 442,  
29 inclusive, 446 to 450, inclusive, 458A and 656A of NRS, NRS  
30 127.220 to 127.310, inclusive, 422.001 to 422.410, inclusive,  
31 422.580, 432.010 to 432.133, inclusive, 432B.6201 to 432B.626,  
32 inclusive, 444.002 to 444.430, inclusive, and 445A.010 to  
33 445A.055, inclusive, **sections 2 to 75, inclusive, of this act**, and all  
34 other provisions of law relating to the functions of the divisions of  
35 the Department, but is not responsible for the clinical activities of  
36 the Division of Public and Behavioral Health or the professional line  
37 activities of the other divisions.

38 (c) Shall administer any state program for persons with  
39 developmental disabilities established pursuant to the  
40 Developmental Disabilities Assistance and Bill of Rights Act of  
41 2000, 42 U.S.C. §§ 15001 et seq.

42 (d) Shall, after considering advice from agencies of local  
43 governments and nonprofit organizations which provide social  
44 services, adopt a master plan for the provision of human services in  
45 this State. The Director shall revise the plan biennially and deliver a



1 copy of the plan to the Governor and the Legislature at the  
2 beginning of each regular session. The plan must:

3 (1) Identify and assess the plans and programs of the  
4 Department for the provision of human services, and any  
5 duplication of those services by federal, state and local agencies;

6 (2) Set forth priorities for the provision of those services;

7 (3) Provide for communication and the coordination of those  
8 services among nonprofit organizations, agencies of local  
9 government, the State and the Federal Government;

10 (4) Identify the sources of funding for services provided by  
11 the Department and the allocation of that funding;

12 (5) Set forth sufficient information to assist the Department  
13 in providing those services and in the planning and budgeting for the  
14 future provision of those services; and

15 (6) Contain any other information necessary for the  
16 Department to communicate effectively with the Federal  
17 Government concerning demographic trends, formulas for the  
18 distribution of federal money and any need for the modification of  
19 programs administered by the Department.

20 (e) May, by regulation, require nonprofit organizations and state  
21 and local governmental agencies to provide information regarding  
22 the programs of those organizations and agencies, excluding  
23 detailed information relating to their budgets and payrolls, which the  
24 Director deems necessary for the performance of the duties imposed  
25 upon him or her pursuant to this section.

26 (f) Has such other powers and duties as are provided by law.

27 2. Notwithstanding any other provision of law, the Director, or  
28 the Director's designee, is responsible for appointing and removing  
29 subordinate officers and employees of the Department.

30 **Sec. 178.** NRS 239.010 is hereby amended to read as follows:

31 239.010 1. Except as otherwise provided in this section and  
32 NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.0397, 41.071, 49.095,  
33 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030,  
34 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152,  
35 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413,  
36 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345,  
37 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270,  
38 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280,  
39 119A.280, 119A.653, 119A.677, 119B.370, 119B.382, 120A.640,  
40 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730,  
41 127.007, ~~127.057, 127.130,~~ **127.120**, 127.140, 127.2817, 128.090,  
42 130.312, 130.712, 136.050, 159.044, 159A.044, 164.041, 172.075,  
43 172.245, 176.01334, 176.01385, 176.015, 176.0625, 176.09129,  
44 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 178.5717,  
45 179.495, 179A.070, 179A.165, 179D.160, 180.600, 200.3771,



1 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392,  
2 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140,  
3 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464,  
4 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240,  
5 218G.350, 218G.615, 224.240, 226.462, 226.796, 228.270, 228.450,  
6 228.495, 228.570, 231.069, 231.1285, 231.1473, 232.1369, 233.190,  
7 237.300, 239.0105, 239.0113, 239.014, 239B.026, 239B.030,  
8 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250,  
9 239C.270, 239C.420, 240.007, 241.020, 241.030, 241.039, 242.105,  
10 244.264, 244.335, 247.540, 247.545, 247.550, 247.560, 250.087,  
11 250.130, 250.140, 250.145, 250.150, 268.095, 268.0978, 268.490,  
12 268.910, 269.174, 271A.105, 281.195, 281.805, 281A.350,  
13 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068,  
14 284.4086, 286.110, 286.118, 287.0438, 289.025, 289.080, 289.387,  
15 289.830, 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.5757,  
16 293.870, 293.906, 293.908, 293.909, 293.910, 293B.135, 293D.510,  
17 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379,  
18 338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205,  
19 353A.049, 353A.085, 353A.100, 353C.240, 353D.250, 360.240,  
20 360.247, 360.255, 360.755, 361.044, 361.2242, 361.610, 365.138,  
21 366.160, 368A.180, 370.257, 370.327, 372A.080, 378.290, 378.300,  
22 379.0075, 379.008, 379.1495, 385A.830, 385B.100, 387.626,  
23 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750,  
24 388A.247, 388A.249, 391.033, 391.035, 391.0365, 391.120,  
25 391.925, 392.029, 392.147, 392.264, 392.271, 392.315, 392.317,  
26 392.325, 392.327, 392.335, 392.850, 393.045, 394.167, 394.16975,  
27 394.1698, 394.447, 394.460, 394.465, 396.1415, 396.1425, 396.143,  
28 396.159, 396.3295, 396.405, 396.525, 396.535, 396.9685,  
29 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153,  
30 414.280, 416.070, 422.2749, 422.305, 422A.342, 422A.350,  
31 425.400, 427A.1236, 427A.872, 427A.940, 432.028, 432.205,  
32 432B.175, 432B.280, 432B.290, 432B.4018, 432B.407, 432B.430,  
33 432B.560, 432B.5902, 432C.140, 432C.150, 433.534, 433A.360,  
34 439.4941, 439.4988, 439.5282, 439.840, 439.914, 439A.116,  
35 439A.124, 439B.420, 439B.754, 439B.760, 439B.845, 440.170,  
36 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735,  
37 442.774, 445A.665, 445B.570, 445B.7773, 449.209, 449.245,  
38 449.4315, 449A.112, 450.140, 450B.188, 450B.805, 453.164,  
39 453.720, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056,  
40 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407,  
41 463.790, 467.1005, 480.535, 480.545, 480.935, 480.940, 481.063,  
42 481.091, 481.093, 482.170, 482.368, 482.5536, 483.340, 483.363,  
43 483.575, 483.659, 483.800, 484A.469, 484B.830, 484B.833,  
44 484E.070, 485.316, 501.344, 503.452, 522.040, 534A.031, 561.285,  
45 571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110,



1 598A.420, 599B.090, 603.070, 603A.210, 604A.303, 604A.710,  
2 604D.500, 604D.600, 612.265, 616B.012, 616B.015, 616B.315,  
3 616B.350, 618.341, 618.425, 622.238, 622.310, 623.131, 623A.137,  
4 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230,  
5 628B.760, 629.043, 629.047, 629.069, 630.133, 630.2671,  
6 630.2672, 630.2673, 630.2687, 630.30665, 630.336, 630A.327,  
7 630A.555, 631.332, 631.368, 632.121, 632.125, 632.3415,  
8 632.3423, 632.405, 633.283, 633.301, 633.427, 633.4715, 633.4716,  
9 633.4717, 633.524, 634.055, 634.1303, 634.214, 634A.169,  
10 634A.185, 634B.730, 635.111, 635.158, 636.262, 636.342, 637.085,  
11 637.145, 637B.192, 637B.288, 638.087, 638.089, 639.183,  
12 639.2485, 639.570, 640.075, 640.152, 640A.185, 640A.220,  
13 640B.405, 640B.730, 640C.580, 640C.600, 640C.620, 640C.745,  
14 640C.760, 640D.135, 640D.190, 640E.225, 640E.340, 641.090,  
15 641.221, 641.2215, 641A.191, 641A.217, 641A.262, 641B.170,  
16 641B.281, 641B.282, 641C.455, 641C.760, 641D.260, 641D.320,  
17 642.524, 643.189, 644A.870, 645.180, 645.625, 645A.050,  
18 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130,  
19 645D.135, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947,  
20 648.033, 648.197, 649.065, 649.067, 652.126, 652.228, 653.900,  
21 654.110, 656.105, 657A.510, 661.115, 665.130, 665.133, 669.275,  
22 669.285, 669A.310, 670B.680, 671.365, 671.415, 673.450, 673.480,  
23 675.380, 676A.340, 676A.370, 677.243, 678A.470, 678C.710,  
24 678C.800, 679B.122, 679B.124, 679B.152, 679B.159, 679B.190,  
25 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410,  
26 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306,  
27 687A.060, 687A.115, 687B.404, 687C.010, 688C.230, 688C.480,  
28 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536,  
29 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550,  
30 696C.120, 703.196, 704B.325, 706.1725, 706A.230, 710.159,  
31 711.600, *and sections 19, 42, 43, 69 and 99 of this act*, sections 35,  
32 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of  
33 chapter 391, Statutes of Nevada 2013 and unless otherwise declared  
34 by law to be confidential, all public books and public records of a  
35 governmental entity must be open at all times during office hours to  
36 inspection by any person, and may be fully copied or an abstract or  
37 memorandum may be prepared from those public books and public  
38 records. Any such copies, abstracts or memoranda may be used to  
39 supply the general public with copies, abstracts or memoranda of the  
40 records or may be used in any other way to the advantage of the  
41 governmental entity or of the general public. This section does not  
42 supersede or in any manner affect the federal laws governing  
43 copyrights or enlarge, diminish or affect in any other manner the  
44 rights of a person in any written book or record which is  
45 copyrighted pursuant to federal law.



1 2. A governmental entity may not reject a book or record  
2 which is copyrighted solely because it is copyrighted.

3 3. A governmental entity that has legal custody or control of a  
4 public book or record shall not deny a request made pursuant to  
5 subsection 1 to inspect or copy or receive a copy of a public book or  
6 record on the basis that the requested public book or record contains  
7 information that is confidential if the governmental entity can  
8 redact, delete, conceal or separate, including, without limitation,  
9 electronically, the confidential information from the information  
10 included in the public book or record that is not otherwise  
11 confidential.

12 4. If requested, a governmental entity shall provide a copy of a  
13 public record in an electronic format by means of an electronic  
14 medium. Nothing in this subsection requires a governmental entity  
15 to provide a copy of a public record in an electronic format or by  
16 means of an electronic medium if:

17 (a) The public record:

18 (1) Was not created or prepared in an electronic format; and

19 (2) Is not available in an electronic format; or

20 (b) Providing the public record in an electronic format or by  
21 means of an electronic medium would:

22 (1) Give access to proprietary software; or

23 (2) Require the production of information that is confidential  
24 and that cannot be redacted, deleted, concealed or separated from  
25 information that is not otherwise confidential.

26 5. An officer, employee or agent of a governmental entity who  
27 has legal custody or control of a public record:

28 (a) Shall not refuse to provide a copy of that public record in the  
29 medium that is requested because the officer, employee or agent has  
30 already prepared or would prefer to provide the copy in a different  
31 medium.

32 (b) Except as otherwise provided in NRS 239.030, shall, upon  
33 request, prepare the copy of the public record and shall not require  
34 the person who has requested the copy to prepare the copy himself  
35 or herself.

36 **Sec. 179.** NRS 424.047 is hereby amended to read as follows:

37 424.047 1. A licensing authority shall, upon request, provide  
38 to a provider of foster care access to all information, except  
39 references, in the records maintained by the licensing authority  
40 concerning that provider.

41 2. After reasonable notice and by appointment, a provider of  
42 foster care may inspect the information kept in those records.

43 3. A licensing authority may, upon request of the provider of  
44 foster care, release to an agency which provides child welfare  
45 services or a child-placing agency, as defined in ~~NRS 127.220,~~



1 *section 82 of this act*, all information, except references, in the  
2 records maintained by the licensing authority concerning that  
3 provider, including, without limitation, a study conducted to  
4 determine whether to grant a license to the provider or a study of the  
5 home of the provider.

6 **Sec. 180.** NRS 424.070 is hereby amended to read as follows:  
7 424.070 No person other than the parents or guardian of a child  
8 and no agency or institution in this State or from outside this State  
9 may place any child in the control or care of any person without  
10 sending notice of the pending placement and receiving approval of  
11 the placement from the Division or its designee. No such person,  
12 parent, guardian, agency or institution may place a child for  
13 adoption except as otherwise provided in chapter 127 of NRS ~~§~~ *or*  
14 *sections 2 to 75, inclusive, of this act.*

15 **Sec. 181.** NRS 432.0125 is hereby amended to read as  
16 follows:

17 432.0125 1. The Administrator shall appoint, with the  
18 approval of the Director, a chief of each of the bureaus in the  
19 Division. The chiefs are designated respectively as:

- 20 (a) The Superintendent of the Nevada Youth Training Center;
- 21 (b) The Superintendent of the Caliente Youth Center; and
- 22 (c) The Chief of the Youth Parole Bureau.

23 2. The Administrator is responsible for the administration,  
24 through the Division, of the provisions of chapters 63, 424 and  
25 433B of NRS, NRS 127.220 to 127.310, inclusive, and 432.010 to  
26 432.085, inclusive, *and sections 65 to 75, inclusive, of this act*, and  
27 all other provisions of law relating to the functions of the Division,  
28 but is not responsible for the professional activities of the  
29 components of the Division except as specifically provided by law.

30 **Sec. 182.** NRS 432B.190 is hereby amended to read as  
31 follows:

32 432B.190 The Division of Child and Family Services shall, in  
33 consultation with each agency which provides child welfare  
34 services, adopt:

35 1. Regulations establishing reasonable and uniform standards  
36 for:

- 37 (a) Child welfare services provided in this State;
- 38 (b) Programs for the prevention of abuse or neglect of a child  
39 and the achievement of the permanent placement of a child;
- 40 (c) The development of local councils involving public and  
41 private organizations;
- 42 (d) Reports of abuse or neglect, records of these reports and the  
43 response to these reports;
- 44 (e) Carrying out the provisions of NRS 432B.260, including,  
45 without limitation, the qualifications of persons with whom agencies





1 which provide child welfare services enter into agreements to  
2 provide services to children and families;

3 (f) The management and assessment of reported cases of abuse  
4 or neglect;

5 (g) The protection of the legal rights of parents and children;

6 (h) Emergency shelter for a child;

7 (i) The prevention, identification and correction of abuse or  
8 neglect of a child in residential institutions;

9 (j) Developing and distributing to persons who are responsible  
10 for a child's welfare a pamphlet that is written in language which is  
11 easy to understand, is available in English and in any other language  
12 the Division determines is appropriate based on the demographic  
13 characteristics of this State and sets forth:

14 (1) Contact information regarding persons and governmental  
15 entities which provide assistance to persons who are responsible for  
16 the welfare of children, including, without limitation, persons and  
17 entities which provide assistance to persons who are being  
18 investigated for allegedly abusing or neglecting a child;

19 (2) The procedures for taking a child for placement in  
20 protective custody; and

21 (3) The state and federal legal rights of:

22 (I) A person who is responsible for a child's welfare and  
23 who is the subject of an investigation of alleged abuse or neglect of  
24 a child, including, without limitation, the legal rights of such a  
25 person at the time an agency which provides child welfare services  
26 makes initial contact with the person in the course of the  
27 investigation and at the time the agency takes the child for  
28 placement in protective custody, and the legal right of such a person  
29 to be informed of any allegation of abuse or neglect of a child which  
30 is made against the person at the initial time of contact with the  
31 person by the agency; and

32 (II) Persons who are parties to a proceeding held pursuant  
33 to NRS 432B.410 to 432B.590, inclusive, during all stages of the  
34 proceeding; and

35 (k) Making the necessary inquiries required pursuant to NRS  
36 432B.397 to determine whether a child is an Indian child.

37 2. Regulations, which are applicable to any person who is  
38 authorized to place a child in protective custody without the consent  
39 of the person responsible for the child's welfare, setting forth  
40 reasonable and uniform standards for establishing whether  
41 immediate action is necessary to protect the child from injury, abuse  
42 or neglect for the purposes of determining whether to place the child  
43 into protective custody pursuant to NRS 432B.390. Such standards  
44 must consider the potential harm to the child in remaining in his or  
45 her home, including, without limitation:



1 (a) Circumstances in which a threat of harm suggests that a child  
2 is in imminent danger of serious harm.

3 (b) The conditions or behaviors of the child's family which  
4 threaten the safety of the child who is unable to protect himself or  
5 herself and who is dependent on others for protection, including,  
6 without limitation, conditions or behaviors that are beyond the  
7 control of the caregiver of the child and create an imminent threat of  
8 serious harm to the child.

9 ➔ The Division of Child and Family Services shall ensure that the  
10 appropriate persons or entities to whom the regulations adopted  
11 pursuant to this subsection apply are provided with a copy of such  
12 regulations. As used in this subsection, "serious harm" includes the  
13 threat or evidence of serious physical injury, sexual abuse,  
14 significant pain or mental suffering, extreme fear or terror, extreme  
15 impairment or disability, death, substantial impairment or risk of  
16 substantial impairment to the child's mental or physical health or  
17 development.

18 3. Regulations establishing procedures for:

19 (a) Expediently locating any missing child who has been  
20 placed in the custody of an agency which provides child welfare  
21 services;

22 (b) Determining the primary factors that contributed to a child  
23 who has been placed in the custody of an agency which provides  
24 child welfare services running away or otherwise being absent from  
25 foster care, and to the extent possible and appropriate, responding to  
26 those factors in current and subsequent placements; and

27 (c) Determining the experiences of a child who has been placed  
28 in the custody of an agency which provides child welfare services  
29 during any period the child was missing, including, without  
30 limitation, determining whether the child may be a victim of sexual  
31 abuse or sexual exploitation.

32 4. Such other regulations as are necessary for:

33 (a) The administration of NRS 432B.010 to 432B.606, inclusive.

34 (b) The implementation of ~~NRS 125E.010 to 125E.370,~~  
35 ~~inclusive, and] chapter 125E of NRS,~~ NRS 127.041, 127.115,  
36 127.151, ~~[and] 127.1861 [to 127.1869, inclusive.],~~ *127.1863 and*  
37 *127.1865 and sections 27, 39, 46 and 54 to 58, inclusive, of this*  
38 *act.*

39 **Sec. 183.** NRS 432B.393 is hereby amended to read as  
40 follows:

41 432B.393 1. Except as otherwise provided in this section, an  
42 agency which provides child welfare services shall make reasonable  
43 efforts to preserve and reunify the family of a child:

44 (a) Before the placement of the child in foster care, to prevent or  
45 eliminate the need to remove the child from the home; and



1 (b) To make it possible for the safe return of the child to the  
2 home.

3 2. In determining the reasonable efforts required by subsection  
4 1, the health and safety of the child must be the paramount concern.  
5 The agency which provides child welfare services may make  
6 reasonable efforts to place the child for adoption or with a legal  
7 guardian concurrently with making the reasonable efforts required  
8 pursuant to subsection 1. If the court determines that continuation of  
9 the reasonable efforts required by subsection 1 is inconsistent with  
10 the plan for the permanent placement of the child, the agency which  
11 provides child welfare services shall make reasonable efforts to  
12 place the child in a timely manner in accordance with that plan and  
13 to complete whatever actions are necessary to finalize the permanent  
14 placement of the child.

15 3. An agency which provides child welfare services is not  
16 required to make the reasonable efforts required by subsection 1 if  
17 the court finds that:

18 (a) A parent or other person responsible for the child's welfare  
19 has:

20 (1) Committed, aided or abetted in the commission of, or  
21 attempted, conspired or solicited to commit murder or voluntary  
22 manslaughter;

23 (2) Caused the abuse or neglect of the child, or of another  
24 child of the parent or other person responsible for the child's  
25 welfare, which resulted in substantial bodily harm to the abused or  
26 neglected child;

27 (3) Caused the abuse or neglect of the child, a sibling of the  
28 child or another child in the household, and the abuse or neglect was  
29 so extreme or repetitious as to indicate that any plan to return the  
30 child to the home would result in an unacceptable risk to the health  
31 or welfare of the child; or

32 (4) Abandoned the child for 60 or more days, and the identity  
33 of the parent of the child is unknown and cannot be ascertained  
34 through reasonable efforts;

35 (b) A parent of the child has, for the previous 6 months, had the  
36 ability to contact or communicate with the child and made no more  
37 than token efforts to do so;

38 (c) The parental rights of a parent to a sibling of the child have  
39 been terminated by a court order upon any basis other than the  
40 execution of a voluntary relinquishment of those rights by a natural  
41 parent, and the court order is not currently being appealed;

42 (d) The child or a sibling of the child was previously removed  
43 from the home, adjudicated to have been abused or neglected,  
44 returned to the home and subsequently removed from the home as a  
45 result of additional abuse or neglect;



1 (e) The child is less than 1 year of age, the father of the child is  
2 not married to the mother of the child and the father of the child:

3 (1) Has failed within 60 days after learning of the birth of the  
4 child, to visit the child, to commence proceedings to establish his  
5 paternity of the child or to provide financial support for the child; or

6 (2) Is entitled to seek custody of the child but fails to do so  
7 within 60 days after learning that the child was placed in foster care;

8 (f) The child was delivered to a provider of emergency services  
9 pursuant to NRS 432B.630;

10 (g) The child, a sibling of the child or another child in the  
11 household has been sexually abused or has been subjected to neglect  
12 by pervasive instances of failure to protect the child from sexual  
13 abuse; or

14 (h) A parent of the child is required to register as a sex offender  
15 pursuant to the provisions of chapter 179D of NRS or the provisions  
16 of the federal Adam Walsh Child Protection and Safety Act of 2006,  
17 34 U.S.C. §§ 20901 et seq.

18 4. Except as otherwise provided in subsection 6, for the  
19 purposes of this section, unless the context otherwise requires,  
20 "reasonable efforts" have been made if an agency which provides  
21 child welfare services to children with legal custody of a child has  
22 exercised diligence and care in arranging appropriate, accessible and  
23 available services that are designed to improve the ability of a  
24 family to provide a safe and stable home for each child in the  
25 family, with the health and safety of the child as its paramount  
26 concerns. The exercise of such diligence and care includes, without  
27 limitation, obtaining necessary and appropriate information  
28 concerning the child for the purposes of NRS ~~127.410~~ 127.410  
29 and 424.038 *and section 47 of this act* and, if necessary, creating an  
30 in-home safety plan for the protection of the child.

31 5. In determining whether reasonable efforts have been made  
32 pursuant to subsection 4, the court shall:

33 (a) Evaluate the evidence and make findings based on whether a  
34 reasonable person would conclude that reasonable efforts were  
35 made;

36 (b) Consider any input from the child;

37 (c) Consider the efforts made and the evidence presented since  
38 the previous finding of the court concerning reasonable efforts;

39 (d) Consider the diligence and care that the agency is legally  
40 authorized and able to exercise, including, without limitation, the  
41 efforts to create an in-home safety plan;

42 (e) Recognize and take into consideration the legal obligations  
43 of the agency to comply with any applicable laws and regulations;



1 (f) Base its determination on the circumstances and facts  
2 concerning the particular family or plan for the permanent  
3 placement of the child at issue;

4 (g) Consider whether any of the efforts made were contrary to  
5 the health and safety of the child;

6 (h) Consider the efforts made, if any, to prevent the need to  
7 remove the child from the home and to finalize the plan for the  
8 permanent placement of the child;

9 (i) Consider whether the provisions of subsection 6 are  
10 applicable; and

11 (j) Consider any other matters the court deems relevant.

12 6. An agency which provides child welfare services may  
13 satisfy the requirement of making reasonable efforts pursuant to this  
14 section by taking no action concerning a child or making no effort to  
15 provide services to a child if it is reasonable, under the  
16 circumstances, to do so.

17 7. In determining whether reasonable efforts are not required  
18 pursuant to subsection 3 or whether reasonable efforts have been  
19 made pursuant to subsection 4, the court shall ensure that each  
20 determination is:

21 (a) Made by the court on a case-by-case basis;

22 (b) Based upon specific evidence; and

23 (c) Expressly stated by the court in its order.

24 8. As used in this section, "in-home safety plan" means a plan  
25 created by an agency which provides child welfare services to  
26 ensure the protection of a child in ~~his or her~~ *the* home, including,  
27 without limitation, determining any vulnerabilities of the child,  
28 managing any potential threats to the safety of the child and  
29 determining the capacity of the person responsible for the welfare of  
30 the child to care for the child.

31 **Sec. 184.** NRS 432B.397 is hereby amended to read as  
32 follows:

33 432B.397 1. The agency which provides child welfare  
34 services for a child that is taken into custody pursuant to this chapter  
35 shall make all necessary inquiries in accordance with subsection 1  
36 of NRS 125E.210 to determine whether there is reason to know that  
37 the child is an Indian child. The agency shall report that  
38 determination to the court.

39 2. An agency which provides child welfare services pursuant to  
40 this chapter shall provide training for its personnel regarding the  
41 requirements of the Indian Child Welfare Act, chapter 125E of NRS  
42 and ~~[NRS 127.041, 127.115, 127.151 and 127.1861 to 127.1869,~~  
43 ~~inclusive.]~~ *sections 27, 39, 46 and 54 to 58, inclusive, of this act.*



1     **Sec. 185.** NRS 432B.580 is hereby amended to read as  
2 follows:

3     432B.580 1. Except as otherwise provided in this section and  
4 NRS 432B.513, if a child is placed pursuant to NRS 432B.550 other  
5 than with a parent, the placement must be reviewed by the court at  
6 least semiannually, and within 90 days after a request by a party to  
7 any of the prior proceedings. Unless the parent, guardian or the  
8 custodian objects to the referral, the court may enter an order  
9 directing that the placement be reviewed by a panel appointed  
10 pursuant to NRS 432B.585.

11     2. An agency acting as the custodian of the child shall, before  
12 any hearing for review of the placement of a child, submit a report  
13 to the court, or to the panel if it has been designated to review the  
14 matter, which includes:

15     (a) An evaluation of the progress of the child and the family of  
16 the child and any recommendations for further supervision,  
17 treatment or rehabilitation.

18     (b) Information concerning the placement of the child in relation  
19 to the ~~child's~~ siblings ~~of the child~~, including, without  
20 limitation:

21         (1) Whether the child was placed together with the siblings;

22         (2) Any efforts made by the agency to have the child placed  
23 together with the siblings;

24         (3) Any actions taken by the agency to ensure that the child  
25 has contact with the siblings; and

26         (4) If the child is not placed together with the siblings:

27             (I) The reasons why the child is not placed together with  
28 the siblings; and

29             (II) A plan for the child to visit the siblings, which must  
30 be presented at the first hearing to occur after the siblings are  
31 separated and approved by the court. The plan for visitation must be  
32 updated as necessary to reflect any change in the placement of the  
33 child or a sibling, including, without limitation, any such change  
34 that occurs after the termination of parental rights to the child or a  
35 sibling or the adoption of a sibling.

36     (c) Information concerning the ~~child's~~ education ~~of the~~  
37 *child*, including:

38         (1) A copy of any academic plan or individual graduation  
39 plan developed for the child pursuant to NRS 388.155, 388.165,  
40 388.205 or 388.227;

41         (2) The grade and school in which the child is enrolled;

42         (3) The name of each school the child attended before  
43 enrolling in the school in which he or she is currently enrolled and  
44 the corresponding dates of attendance;



1 (4) Whether the child has not completed or passed any  
2 course of instruction that the child should have completed or passed  
3 by the time the report is submitted, which has resulted in the child  
4 having a deficiency in credits;

5 (5) A copy of any individualized education program  
6 developed for the child;

7 (6) A copy of any plan developed in accordance with section  
8 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794;

9 (7) A summary of any special education services received by  
10 the child;

11 (8) A copy of the most recent report card of the child;

12 (9) A statement of the number of credits earned by the child  
13 during the most recent semester, if applicable;

14 (10) A statement of the number of times the child has been  
15 absent from school during the current or most recent school year for  
16 which the child was enrolled in school;

17 (11) The scores the child received on any academic  
18 assessments or standardized examinations administered to the child;

19 (12) Any information provided by the educational decision  
20 maker appointed for the child pursuant to NRS 432B.462; and

21 (13) Whether a request that the child receive special  
22 education services has been made and, if so, the outcome of such a  
23 request.

24 (d) A copy of any explanations regarding medication that has  
25 been prescribed for the child that have been submitted by a foster  
26 home pursuant to NRS 424.0383.

27 3. Except as otherwise provided in this subsection, a copy of  
28 the report submitted pursuant to subsection 2 must be given to the  
29 parents, the guardian ad litem and the attorney, if any, representing  
30 the parent or the child. If the child was delivered to a provider of  
31 emergency services pursuant to NRS 432B.630 and the parent has  
32 not appeared in the action, the report need not be sent to that parent.

33 4. After a plan for visitation between a child and the siblings of  
34 the child submitted pursuant to subparagraph (4) of paragraph (b) of  
35 subsection 2 has been approved by the court, the agency which  
36 provides child welfare services must request the court to issue an  
37 order requiring the visitation set forth in the plan for visitation.  
38 Upon the issuance of such an order, the court shall provide each  
39 sibling of the child with the case number of the proceeding for the  
40 purpose of allowing the sibling to petition the court for visitation or  
41 enforcement of the order for visitation. If a person refuses to comply  
42 with or disobeys an order issued pursuant to this subsection, the  
43 person may be punished as for a contempt of court.

44 5. The court or the panel shall hold a hearing to review the  
45 placement, unless the parent, guardian or custodian files a motion





1 with the court to dispense with the hearing. If the motion is granted,  
2 the court or panel may make its determination from any report,  
3 statement or other information submitted to it.

4 6. Except as otherwise provided in subsection 7 and subsection  
5 5 of NRS 432B.520, notice of the hearing must be filed with the  
6 court and must be given by first-class mail or any other means  
7 agreed upon in writing between the agency which provides child  
8 welfare services and the recipient of the notice to:

9 (a) All the parties to any of the prior proceedings;

10 (b) Any persons planning to adopt the child;

11 (c) A sibling of the child, if known, who has been granted a  
12 right to visitation of the child pursuant to this section or NRS  
13 127.171 *or section 51 of this act* and ~~his or her~~ *the* attorney ~~of~~ *of*  
14 *the sibling*, if any;

15 (d) Any other relatives of the child or providers of foster care  
16 who are currently providing care to the child; and

17 (e) The educational decision maker appointed for the child  
18 pursuant to NRS 432B.462.

19 7. The notice of the hearing required to be filed and given  
20 pursuant to subsection 6:

21 (a) Must include a statement indicating that if the child is placed  
22 for adoption the right to visitation of the child is subject to the  
23 provisions of NRS 127.171 ~~or section 51 of this act~~;

24 (b) Must not include any confidential information described in  
25 NRS 127.140 ~~or section 43 of this act~~;

26 (c) Need not be given to a parent whose rights have been  
27 terminated pursuant to chapter 128 of NRS or who has voluntarily  
28 relinquished the child for adoption pursuant to ~~NRS 127.040~~;  
29 *chapter 127 of NRS or sections 2 to 75, inclusive, of this act*; and

30 (d) Need not be given to a parent who delivered a child to a  
31 provider of emergency services pursuant to NRS 432B.630.

32 8. The court or panel may require the presence of the child at  
33 the hearing and shall provide to each person to whom notice was  
34 given pursuant to subsection 6 a right to be heard at the hearing.

35 9. The court or panel shall, after considering the report  
36 provided in subsection 2 and any other relevant evidence, determine  
37 based on a preponderance of the evidence:

38 (a) The continuing necessity for and appropriateness of the  
39 placement;

40 (b) The extent of compliance with the plan submitted pursuant  
41 to subsection 2 of NRS 432B.540;

42 (c) Any progress which has been made in alleviating the  
43 problem which resulted in the placement of the child;



1 (d) The date the child may be returned to, and safely maintained  
2 in, the home or placed for adoption or under a legal guardianship;  
3 and

4 (e) Whether the child is making adequate academic progress and  
5 receiving the educational services or supports necessary to ensure  
6 the academic success of the child.

7 10. If the child is placed in a qualified residential treatment  
8 program, the determination pursuant to paragraph (a) of subsection  
9 9 must include, without limitation, a finding on each factor  
10 prescribed by subsection 4 of NRS 432B.575.

11 11. The provision of notice and a right to be heard pursuant to  
12 this section does not cause any person planning to adopt the child,  
13 any sibling of the child or any other relative, any adoptive parent of  
14 a sibling of the child or a provider of foster care to become a party  
15 to the hearing.

16 12. As used in this section, "individualized education program"  
17 has the meaning ascribed to it in 20 U.S.C. § 1414(d)(1)(A).

18 **Sec. 186.** NRS 440.310 is hereby amended to read as follows:

19 440.310 1. Whenever the State Registrar receives a certified  
20 report of adoption or amendment of adoption filed in accordance  
21 with the provisions of NRS 127.157 , *section 48 of this act* or the  
22 laws of another state or foreign country, or a certified copy of the  
23 *order or decree of adoption* , ~~[decree,]~~ concerning a person born in  
24 ~~[Nevada,]~~ *this State*, the State Registrar shall prepare and file a  
25 supplementary certificate of birth in the new name of the adopted  
26 person which shows the adoptive parents as the parents and seal and  
27 file the report or ~~[decree]~~ *order* and the original certificate of birth.

28 2. Whenever the State Registrar receives a certified report of  
29 adoption, amendment or annulment of an order or decree of  
30 adoption from a court concerning a person born in another state, the  
31 District of Columbia, the Commonwealth of Puerto Rico, a territory  
32 or possession of the United States, or Canada, the report must be  
33 forwarded to the office responsible for vital statistics in the  
34 ~~[person's]~~ *place of birth* ~~[ ]~~ *of the person*.

35 3. Whenever the State Registrar receives a certified report of  
36 adoption or amendment of adoption filed in accordance with the  
37 provisions of NRS 127.157 *or section 100 of this act* concerning a  
38 person born in a foreign country other than Canada, the State  
39 Registrar shall, if the State Registrar receives evidence that:

40 (a) The person being adopted is a citizen of the United States;  
41 and

42 (b) The adoptive parents are residents of ~~[Nevada,]~~ *this State*,  
43 ↪ prepare and file a supplementary certificate of birth as described  
44 in subsection 1 and seal and file the report.



1 4. Sealed documents may be opened only upon an order of the  
2 court issuing the adoption decree, expressly so permitting, pursuant  
3 to a petition setting forth the reasons therefor.

4 5. Except as otherwise provided in subsection 2, upon the  
5 receipt of a certified copy of a court order of annulment of adoption,  
6 the State Registrar shall seal and file the order and supplementary  
7 certificate of birth and, if the person was born in ~~[Nevada,]~~ *this*  
8 *State*, restore the original certificate to its original place in the files.

9 **Sec. 187.** NRS 442.400 is hereby amended to read as follows:

10 442.400 1. The agency which provides child welfare services  
11 or a ~~[licensed]~~ child-placing agency shall inquire, during its initial  
12 contact with a natural parent of a child who is to be placed for  
13 adoption, about consumption of alcohol by or any substance use  
14 disorder of the person who gave birth to the child during pregnancy.

15 2. The information obtained from the inquiry *described in*  
16 *subsection 1* must be:

17 ~~[1.]~~ (a) Included in the report provided to the ~~[adopting]~~  
18 *prospective adoptive* parents of the child pursuant to NRS 127.152  
19 ~~[2.]~~ *or section 47 of this act, as applicable;* and

20 ~~[2.]~~ (b) Reported to the Division on a form prescribed by the  
21 Division.

22 3. The report *described in subsection 2* must not contain any  
23 identifying information and may be used only for statistical  
24 purposes.

25 **Sec. 188.** NRS 449.245 is hereby amended to read as follows:

26 449.245 1. No hospital licensed under the provisions of NRS  
27 449.029 to 449.2428, inclusive, may release from the hospital or  
28 otherwise surrender physical custody of any child under 6 months of  
29 age, whose living parent or guardian is known to the hospital, to any  
30 person other than a parent, guardian or relative by blood or marriage  
31 of that child, without a written authorization signed by a living  
32 parent, who must be the person who gave birth to the child if unwed,  
33 or guardian specifying the particular person or agency to whom the  
34 child may be released and the permanent address of that person or  
35 agency.

36 2. Upon the release or other surrender of physical custody of  
37 the child, the hospital shall require from the person to whom the  
38 child is released such reasonable proof of identity as the hospital  
39 may deem necessary for compliance with the provisions of this  
40 section. The hospital shall furnish a true copy of the written  
41 authorization to the Division of Child and Family Services of the  
42 Department of Health and Human Services before the release or  
43 other surrender by it of physical custody of the child. The copy must  
44 be furnished to the Division immediately upon receipt by the  
45 hospital.



1 3. Any person to whom any such child is released who  
2 thereafter surrenders physical custody of that child to any other  
3 person or agency shall, upon demand by the Division of Child and  
4 Family Services, disclose to the Division the name and permanent  
5 address of the person or agency to whom physical custody of the  
6 child was delivered.

7 4. Except as otherwise provided in NRS 239.0115, all  
8 information received by the Division of Child and Family Services  
9 pursuant to the provisions of this section is confidential and must be  
10 protected from disclosure in the same manner that information is  
11 protected under NRS 432.035.

12 5. Compliance with the provisions of this section is not a  
13 substitute for compliance with NRS 127.220 to 127.310, inclusive,  
14 *or sections 65 to 75, inclusive, of this act* governing placements for  
15 adoption and permanent free care.

16 6. A violation of any provision of this section is a  
17 misdemeanor.

18 **Sec. 189.** 1. When the next reprint of the Nevada Revised  
19 Statutes is prepared by the Legislative Counsel, the Legislative  
20 Counsel shall cause:

21 (a) The provisions of NRS 127.230 to 127.350, inclusive, to be  
22 transferred to a new chapter established in Title 11 of NRS; and

23 (b) The provisions of NRS 127.400, 127.410 and 127.420 to be  
24 transferred to a new chapter established in Title 11 of NRS.

25 2. To avoid any excessive cost, references to the previously  
26 assigned numbers of NRS 127.230 to 127.250, inclusive, and  
27 127.400, 127.410 and 127.420 in any legal document, publication,  
28 signage or in any other place must not be replaced to revise those  
29 references unless and until they would otherwise be replaced for  
30 some other reason.

31 **Sec. 190.** The amendatory provisions of this act apply to  
32 offenses committed on or after October 1, 2025.

33 **Sec. 191.** The amendatory provisions of this act apply to  
34 petitions for adoption filed on or after October 1, 2025.

35 **Sec. 192.** The provisions of NRS 354.599 do not apply to any  
36 additional expenses of a local government that are related to the  
37 provisions of this act.

38 **Sec. 193.** NRS 127.003, 127.057, 127.080, 127.130, 127.1867,  
39 127.1869, 127.275, 127.282 and 127.288 are hereby repealed.

40 **Sec. 194.** 1. This section becomes effective upon passage  
41 and approval.

42 2. Sections 1 to 193, inclusive, of this act become effective:

43 (a) Upon passage and approval for the purpose of adopting  
44 regulations and performing other preparatory administrative tasks  
45 that are necessary to carry out the provisions of this act; and



1 (b) On October 1, 2025, for all other purposes.

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**LEADLINES OF REPEALED SECTIONS**

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**127.003 Definitions.**

**127.057 Consent to adoption: Copy to be furnished to agency which provides child welfare services within 48 hours; recommendations; confidentiality of information; unlawful acts.**

**127.080 Consent to specific adoption or relinquishment for adoption cannot be revoked or nullified; exceptions.**

**127.130 Confidentiality of reports; petitioner may rebut adverse report.**

**127.1867 ICWA compliance reports; adoption of regulations by Division; assistance and trainings by Court Administrator.**

**127.1869 Tribal customary adoptions; adoption of regulations by Division.**

**127.275 Fees for services provided by agency which provides child welfare services.**

**127.282 Petition for order to restrain and enjoin violation or threatened violation of chapter; investigation of unreported adoption or permanent free care of unrelated child.**

**127.288 Penalty for unlawful payment to or acceptance by natural parent of compensation.**



