

2022 Regular Session

HOUSE BILL NO. 568

BY REPRESENTATIVES EDMONDS AND VILLIO

CRIME: Provides relative to adoption deception

1 AN ACT

2 To enact R.S. 14:67.5(A)(3) and (C), relative to misappropriation without violence; to  
3 provide relative to adoption deception; to provide relative to elements of the offense;  
4 and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:67.5(A)(3) and (C) are hereby enacted to read as follows:

7 §67.5. Adoption deception

8 A. Any person who is a birth mother, or who holds herself out to be a birth  
9 mother, who is interested in making an adoption plan and who knowingly or  
10 intentionally benefits from payment of adoption-related expenses in connection with  
11 that adoption plan commits adoption deception if any of the following occur:

12 \* \* \*

13 (3) The person has the specific intent to make false representations to induce  
14 the payment of living expenses or other benefits in connection with a purported  
15 adoption placement.

16 \* \* \*

17 C. The provisions of this Section shall not apply to a person who agrees to  
18 an adoption plan agreement and subsequently, in good faith, declines to proceed with  
19 the prospective adoption in favor of parenting the child.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 568 Reengrossed

2022 Regular Session

Edmonds

**Abstract:** Adds an element to the crime of adoption deception.

Present law provides for the crime of adoption deception and defines the crime as being committed by any person who is a birth mother, or who holds herself out to be a birth mother, who is interested in making an adoption plan and who knowingly or intentionally benefits from payment of adoption-related expenses in connection with that adoption plan if any of the following occur:

- (1) The person knows or should have known that she is not pregnant at the time the payments were requested or received.
- (2) The person accepts assistance for living expenses from a prospective adoptive parent or adoption entity without disclosing that she is receiving such assistance from another prospective adoptive parent or adoption entity at the same time in an effort to adopt the same child.

Proposed law amends present law to include when a person has the specific intent to make false representations to induce the payment of living expenses or other benefits in connection with a purported adoption placement.

Proposed law does not apply to a person who agrees to an adoption plan agreement and subsequently, in good faith, declines to proceed with the prospective adoption in favor of parenting the child.

(Adds R.S. 14:67.5(A)(3) and (C))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Specify that the person needs specific intent to make false representations to induce the payment of living expenses or other benefits in connection with a purported adoption placement.
2. Provide an exception for persons who do not agree to an adoption plan agreement and subsequently, in good faith, decline to proceed with the prospective adoption in favor of parenting the child.