

2019 Regular Session

HOUSE BILL NO. 487

BY REPRESENTATIVE HENRY

ADOPTION: Limits the amount of adoption fees in certain cases

1 AN ACT

2 To enact R.S. 13:844.1, relative to adoptions; to provide relative to adoption fees; to provide
3 a maximum amount of adoption fees for certain adoptions; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:844.1 is hereby enacted to read as follows:

7 §844.1. Fees; state agency adoptions

8 A. Notwithstanding any provisions of law to the contrary, the fee assessed
9 by the clerk of court for the filing of a petition for a state agency adoption shall not
10 exceed one hundred fifty dollars per petition.

11 B. For the purpose of this Section, "state agency adoption" means any
12 adoption proceeding wherein the child to be adopted is in the legal custody of the
13 Louisiana Department of Children and Family Services or the corresponding
14 department of any other state.

15 C. The fee to be assessed on behalf of the sheriff's offices for service of
16 process of state agency adoptions shall not exceed thirty dollars per adoption
17 petition.

18 D. Notwithstanding any provision of law to the contrary, all fees and costs
19 authorized to be assessed or collected by the clerks of court, except fees and costs
20 authorized by this Section, are hereby expressly waived in state agency adoptions.

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)]

HB 487 Engrossed

2019 Regular Session

Henry

Abstract: Provides a maximum amount of \$150 in filing fees that can be assessed by a clerk of court for state agency adoptions, waives all other fees and costs assessed or collected by clerks of court in state agency adoptions, and limits the service of process fee to \$30 for state agency adoptions.

Proposed law requires the clerk of court to charge a maximum filing fee of not more than \$150 for in-state adoptions.

Proposed law defines "state agency adoption" as an any adoption proceeding wherein the child to be adopted is in the legal custody of DCFS or the corresponding department of any other state.

Proposed law limits the service of process fee to be assessed on behalf of the sheriff's office for state agency adoptions to \$30 per petition.

Proposed law expressly waives all other fees and costs authorized to be assessed or collected by clerks of court in state agency adoptions notwithstanding any provision of law to the contrary.

(Adds R.S. 13:844.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Make technical changes.
2. Change the proposed law term from "in-state adoption" to "state agency adoption" and provides a definition of state agency adoption.
3. Change the filing fee limitation from \$175 to \$150.
4. Limit the service of process fee assessed by the sheriff's office to \$30 per adoption petition for state agency adoptions.
5. Waive all other fees and costs authorized to be assessed or collected by clerks of court in state agency adoptions notwithstanding any provision of law to the contrary.