

1 AN ACT relating to adoption.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 199 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) In any pending adoption proceeding under this chapter, the court may enter a*
6 *judgment of adoption after a child's death upon the motion of the petitioner or*
7 *petitioners if:*

8 *(a) The child dies during the time the child is placed in the home of the*
9 *petitioner or petitioners;*

10 *(b) Prior to the hearing, the court has received the report of the guardian ad*
11 *litem, if any, for the child and the report required by KRS 199.510;*

12 *(c) A hearing has been scheduled and notice has been given as required under*
13 *KRS 199.515; and*

14 *(d) The court determines after hearing the case that the requirements of KRS*
15 *199.520(1) have been met.*

16 *(2) Any judgment of adoption under this section shall:*

17 *(a) Change the name of the child to conform with the prayer of the petition;*

18 *(b) Ensure that the judgment and all orders required to be entered and*
19 *recorded in the order book, including the caption, shall contain only the*
20 *names of the petitioners and the proposed adopted name of the child,*
21 *without any reference to the child's former name or the names of the birth*
22 *parents; and*

23 *(c) Establish that upon entry of the judgment of adoption, from and after the*
24 *date of the filing of the petition the child shall be deemed the child of*
25 *petitioners and, except as provided in subsection (4) of this section, for the*
26 *purpose of legal considerations, the natural child of the parents adopting*
27 *the child the same as if born of their bodies, and all legal relationship*

1 between the adopted child and the biological parents shall be terminated
2 except the relationship of a biological parent who is the spouse of an
3 adoptive parent.

4 (3) The clerk of the court shall notify the cabinet of the adoption as required in KRS
5 199.520.

6 (4) Notwithstanding any other law to the contrary, nothing in this section shall
7 entitle the petitioner or petitioners proceeding under this section to any present or
8 future interest in property or inheritance of the deceased child, or to any other
9 benefit, whether governmental or otherwise, that would have become payable had
10 the judgment of adoption been entered prior to the death of the child.

11 ➔Section 2. This Act may be cited as Braylon's Law.