

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 711
96TH GENERAL ASSEMBLY

Reported from the Committee on Health, Mental Health, Seniors and Families, March 1, 2012, with recommendation that the Senate Committee Substitute do pass.

TERRY L. SPIELER, Secretary.

5423S.02C

AN ACT

To repeal section 453.005, RSMo, and to enact in lieu thereof one new section relating to the prohibition of racial considerations in adoption proceedings.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 453.005, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 453.005, to read as follows:

453.005. 1. The provisions of sections 453.005 to 453.400 shall be
2 construed so as to promote the best interests and welfare of the child in
3 recognition of the entitlement of the child to a permanent and stable home.

4 2. The **children's** division [of family services] and all persons involved
5 in the adoptive placement of children as provided in subdivisions (1), (2) and (4)
6 of section 453.014 shall provide for the diligent recruitment of potential adoptive
7 homes that reflect the ethnic and racial diversity of children in the state for
8 whom adoptive homes are needed.

9 3. **The race or ethnicity of the adoptive child, the child's**
10 **biological parents, or the prospective adoptive parents shall not be a**
11 **consideration when determining the best interests of the child, the**
12 **welfare of a child, the suitability and assessment of prospective**
13 **adoptive parents, or the home of the prospective adoptive parents in**
14 **adoptive placements. For any Native American child placed in**
15 **protective custody, the division shall comply with the placement**
16 **requirements set forth in 25 U.S.C. Section 1915.** Placement of a child in
17 an adoptive home may not be delayed or denied on the basis of race, color or
18 national origin.

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EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.