

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

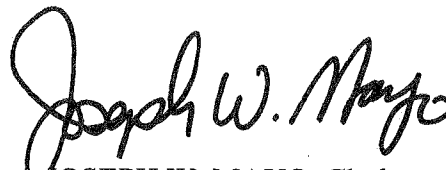
No. 1081

H.P. 793

House of Representatives, February 18, 1997

An Act to Clarify the Adoption Laws.

Reference to the Committee on Judiciary suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative MITCHELL of Portland.
Cosponsored by Representative THOMPSON of Naples.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 18-A MRSA §9-301**, as enacted by PL 1995, c. 694, Pt.
C, §7 and affected by Pt. E, §2, is amended to read:

6 **§9-301. Petition for adoption and change of name;**
8 **filing fee**

10 A husband and wife jointly or an unmarried person, resident
or nonresident of the State, may petition the Probate Court to
12 adopt a person, regardless of age, and to change that person's
name. The fee for filing the petition is \$10. An unmarried
14 biological parent of a child may not petition to adopt that child.

16 **Sec. 2. Effective date.** This Act takes effect October 1, 1997.

18 **SUMMARY**

20 This bill prohibits an unmarried biological parent from
adopting his or her minor child. This change in law will avoid
22 the situation presented in Department of Human Services v.
Sabattus, 683 A.2d 170 (Me. 1996), in which an unmarried mother
24 adopted her biological child and the biological father was found
to have lost the rights of a parent but not the responsibilities.