

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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Official Code*

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To amend, on a temporary basis, An Act To regulate the placing of children in family homes, and for other purposes, to require child-placing agencies to determine adoption fees by developing a sliding scale based on the income of the applicant.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Private Adoption Fee Temporary Amendment Act of 2009".

Sec. 2. Section 12 of An Act To regulate the placing of children in family homes, and for other purposes, approved April 22, 1944 (58 Stat. 193; D.C. Official Code § 4-1410), is amended to read as follows:

Note,
§ 4-1410

“Sec. 12. (a) Neither the Mayor nor a child-placing agency authorized to perform services in connection with placement of a child in a family home for adoption may make or receive any charge or compensation for these services; except, that a child-placing agency that is operating in the District of Columbia exclusively for religious purposes or as a nonprofit organization pursuant to section 501(c) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)), and no part of its net earnings inure to the benefit of any private shareholder or individual, may charge an adoptive parent a reasonable fee.

“(b)(1) A child-placing agency providing domestic or international adoption services that is authorized to charge a fee pursuant to subsection (a) of this section shall develop a sliding fee scale based on the per capita family income size of the applicant and provide each applicant with:

“(A) Its fee and refund policy;

“(B) An estimate of the agency’s maximum fee for specific services;

“(C) Information regarding available public and private subsidies;

“(D) Its sliding fee scale; and

“(E) A complete list of the services that it will provide at each stage of the adoption process.

“(2) The failure of a child-placing agency that charges a fee to implement and to maintain a sliding fee scale as required by this section shall be grounds for suspension or revocation of its license. The Mayor, pursuant to Title I of the District of Columbia

Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this paragraph.

“(c) Except for a reasonable, nonrefundable administrative fee, a child-placing agency shall not retain the fee paid by an adoptive parent unless the child-placing agency has provided the service.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia