

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: H3/8/21
A Bill

HOUSE BILL 1458

By: Representative Penzo
By: Senator B. Ballinger

For An Act To Be Entitled

AN ACT TO CLARIFY THE LAW CONCERNING THE WITHDRAWAL
OF CONSENT TO ADOPT BY A MINOR; AND FOR OTHER
PURPOSES.

Subtitle

TO CLARIFY THE LAW CONCERNING THE
WITHDRAWAL OF CONSENT TO ADOPT BY A
MINOR.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 9-9-209(b)(1), concerning withdrawal of consent to adoption, is amended to read as follows:

(b)(1)(A) A consent to adopt may be withdrawn within ten (10) calendar days, or, if a waiver of the ten-day period is elected under subdivision (b)(3) of this section, five (5) calendar days after ~~it is~~ the consent to adopt is signed or the child is born, whichever is later, by filing an affidavit with the probate division clerk of the circuit court in the county designated by the consent as the county in which the guardianship petition will be filed, if there is a guardianship, or where the petition for adoption will be filed, if there is no guardianship.

(B)(i) If the ten-day period, or, if a waiver of the ten-day period is elected under subdivision (b)(3) of this section, the five-day period ends on a weekend or a legal holiday, the person may file the affidavit the next working day.

(ii) No fee shall be charged for the filing of the



affidavit.

(C) The court may waive the ten-day period for filing a withdrawal of consent for agencies as defined by § 9-9-202(5), minors over ~~ten (10)~~ twelve (12) years of age who consented to the adoption, or biological parents if a stepparent is adopting.

/s/Penzo