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Sixty-eighth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2321

Introduced by

Senator Hogan

Representatives Dobervich, O'Brien, Schreiber-Beck

1 A BILL for an Act to provide for a legislative management study regarding open adoption

2 policies.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. LEGISLATIVE MANAGEMENT STUDY - OPEN ADOPTION POLICIES**

5 **REVIEW.** During the 2023-24 interim, the legislative management shall consider studying the

6 state's policies and relevant case law regarding open adoptions to determine the feasibility and

7 desirability for legislation relating to clarifying communication and the rights of biological

8 parents.

9   1.   The study must include:

10   a.   Existing state policies regarding open adoptions;

11   b.   The current practices of collection and storage of personal, contact, and medical

12   information of biological parents;

13   c.   Benefits and consequences of adopting legislation that would extend legal

14   enforceability to open adoption agreements;

15   d.   Best practices for keeping birth children and their adoptive parents aware of

16   health complications in biological family members over time;

17   e.   Any information relevant to open adoption or open adoption agreements that the

18   legislative management deems important in understanding the totality of the

19   issue;

20   f.   The potential financial costs to adoptive families, adoption agencies, and the

21   court system; and

22   g.   Any barriers to extending legal enforceability to open adoption agreements in the

23   state of North Dakota.

1   2.   The legislative management may seek the assistance of the department of health and

2   human services and adoption agencies that partner with the state of North Dakota.

3   3.   The legislative management shall report its findings and recommendations, together

4   with any legislation necessary to implement the recommendations, to the sixty-ninth

5   legislative assembly.