

Senate Resolution 774

By: Senators Stone of the 23rd, Mullis of the 53rd, Miller of the 49th, Cowser of the 46th, Gooch of the 51st and others

A RESOLUTION

1 Creating the Joint Study Committee on Adoption Expenses; and for other purposes.

2 WHEREAS, Code Section 19-8-24 of the Official Code of Georgia Annotated prohibits the
3 payment of inducements to any biological parent to part with a child; and

4 WHEREAS, child-placing agencies have historically been permitted to pay various expenses
5 of the biological parents as part of the adoption process; and

6 WHEREAS, recent changes approved in the passage of HB 159 also permit the payment of
7 expenses for biological parents in private adoptions; and

8 WHEREAS, there are no statutory or regulatory guidelines for what constitutes reasonable
9 living expenses and no clear procedures for advance approval or oversight of such expenses;
10 and

11 WHEREAS, there is a compelling public interest to ensure that proper oversight be provided
12 to govern the payment of such expenses of biological parents; to ensure proper guidelines
13 and procedures exist to prevent unlawful inducements; to provide consistency and regularity
14 in the payment of proper expenses of biological parents, both in private and agency
15 adoptions; and to reduce the costs of adoption and encourage affordability of adoptions for
16 working families.

17 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF
18 GEORGIA:

19 (1) **Creation of joint study committee.** There is created the Joint Study Committee on
20 Adoption Expenses.

21 (2) **Members and officers.** The committee shall consist of the following members:

22 (A) Three members of the Senate to be appointed by the Lieutenant Governor, who
23 shall designate one of such members as cochairperson;

24 (B) Three members of the House of Representatives to be appointed by the Speaker of
25 the House of Representatives, who shall designate one of such members as
26 cochairperson;

27 (C) Two members known to have knowledge of the adoption process and child
28 placement practices to be appointed by the Governor:

29 (D) The commissioner of the Department of Human Services, or his or her designee;

30 (E) One superior court judge to be appointed by the president of the Council of
31 Superior Court Judges; and

32 (F) One juvenile court judge to be appointed by the president of the Council of
33 Juvenile Court Judges.

34 (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,
35 issues, and problems mentioned above or related thereto and recommend any action or
36 legislation which the committee deems necessary or appropriate.

37 (4) **Meetings.** The cochairpersons shall call all meetings of the committee. The
38 committee may conduct such meetings at such places and at such times as it may deem
39 necessary or convenient to enable it to exercise fully and effectively its powers, perform
40 its duties, and accomplish the objectives and purposes of this resolution.

41 (5) **Allowances, expenses, and funding.**

42 (A) The legislative members of the committee shall receive the allowances provided
43 for in Code Section 28-1-8 of the Official Code of Georgia Annotated.

44 (B) Members of the committee who are state officials, other than legislative members,
45 or who are state employees shall receive no compensation for their services on the
46 committee, but they may be reimbursed for expenses incurred by them in the
47 performance of their duties as members of the committee in the same manner as they
48 are reimbursed for expenses in their capacities as state officials or employees.

49 (C) Members of the committee who are not legislators, state officials, or state
50 employees shall receive a daily expense allowance in an amount the same as that
51 specified in subsection (b) of Code Section 45-7-21 of the Official Code of Georgia
52 Annotated, as well as the mileage or transportation allowance authorized for state
53 employees.

54 (D) The allowances and expenses authorized by this resolution shall not be received
55 by any member of the committee for more than five days unless additional days are
56 authorized. Funds necessary to carry out the provisions of this resolution shall come
57 from funds appropriated to the Senate and the House of Representatives; except that
58 funds for the reimbursement of the expenses of state officials, other than legislative
59 members, and for the reimbursement of the expenses of state employees shall come
60 from funds appropriated to or otherwise available to their respective agencies.

61 (6) **Report.**

62 (A) In the event the committee adopts any specific findings or recommendations that
63 include suggestions for proposed legislation, the cochairpersons shall file a report of the
64 same prior to the date of abolishment specified in this resolution, subject to
65 subparagraph (C) of this paragraph.

66 (B) In the event the committee adopts a report that does not include suggestions for
67 proposed legislation, the chairperson shall file the report, subject to subparagraph (C)
68 of this paragraph.

69 (C) No report shall be filed unless the same has been approved prior to the date of
70 abolishment specified in this resolution by majority vote of a quorum of the committee.

71 A report so approved shall be signed by the cochairpersons of the committee and filed
72 with the Secretary of the Senate and the Clerk of the House of Representatives.

73 (D) In the absence of an approved report, the cochairpersons may file with the
74 Secretary of the Senate and the Clerk of the House of Representatives a copy of the
75 minutes of the meetings of the committee in lieu thereof.

76 (7) **Abolishment.** The committee shall stand abolished on December 1, 2018.