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HOUSE BILL 39

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

Alonzo Baldonado

AN ACT

RELATING TO ADOPTION; CLARIFYING LANGUAGE IN THE ADOPTION ACT THAT CONSENT IS NOT REQUIRED FROM THE BIOLOGICAL FATHER OF A CHILD CONCEIVED AS A RESULT OF ANY FORM OF CRIMINAL SEXUAL PENETRATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 32A-5-19 NMSA 1978 (being Laws 1993, Chapter 77, Section 146, as amended) is amended to read:

"32A-5-19. PERSONS WHOSE CONSENTS OR RELINQUISHMENTS ARE NOT REQUIRED.--The consent to adoption or relinquishment of parental rights required pursuant to the provisions of the Adoption Act shall not be required from:

A. a parent whose rights with reference to the adoptee have been terminated pursuant to law;

B. a parent who has relinquished the child to an

underscoring material = new
~~[bracketed material] = delete~~

underscoring material = new
~~[bracketed material] = delete~~

1 agency for an adoption;

2 C. a biological father of an adoptee conceived as a
3 result of [~~rape~~] any form of criminal sexual penetration, as
4 defined in Section 30-9-11 NMSA 1978, or incest;

5 D. a person who has failed to respond when given
6 notice pursuant to the provisions of Section 32A-5-27 NMSA
7 1978; or

8 E. an alleged father who has failed to register
9 with the putative father registry within ten days of the
10 child's birth and is not otherwise the acknowledged father."

11 SECTION 2. EFFECTIVE DATE.--The effective date of the
12 provisions of this act is July 1, 2013.