

AMENDED IN ASSEMBLY APRIL 10, 1996

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

**ASSEMBLY BILL**

**No. 3241**

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**Introduced by Assembly Member Conroy**

February 23, 1996

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An act to amend Sections 8706, 8817, and 8909 of the Family Code, relating to family law.

LEGISLATIVE COUNSEL'S DIGEST

AB 3241, as amended, Conroy. Adoption.

Existing law relating to adoption requires a written report on the child's medical background and, if available, the medical background of the child's biological parents, so far as ascertainable, to be submitted to the prospective adoptive parents.

This bill would ~~require this report to include the results of DNA analysis of the child's biological parents, so far as ascertainable~~ *authorize the biological parents to provide a blood sample, to be stored at an approved laboratory for a period of 18 years following the adoption, and to be used for DNA testing at a later date at the request of the adoptive parents or the adopted child. The bill would provide for a separate fee, in addition to existing statutory fees pertaining to adoptions, to pay for the cost of storing the blood samples, as specified.*

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 8706 of the Family Code is  
2 amended to read:

3 8706. (a) An agency may not place a child for  
4 adoption unless a written report on the child's medical  
5 background and, if available, the medical background of  
6 the child's biological parents, ~~including the results of~~  
7 ~~DNA analysis~~, so far as ascertainable, has been submitted  
8 to the prospective adoptive parents and they have  
9 acknowledged in writing the receipt of the report.

10 (b) The report on the child's background shall contain  
11 all known diagnostic information, including current  
12 medical reports on the child, psychological evaluations,  
13 and scholastic information, as well as all known  
14 information regarding the child's developmental history  
15 and family life.

16 (c) (1) *The biological parents may provide a blood*  
17 *sample at a clinic or hospital approved by the State*  
18 *Department of Health Services. The biological parents'*  
19 *refusal or inability to provide a blood sample shall not*  
20 *prevent the adoption of the child.*

21 (2) *The blood sample shall be stored at a laboratory*  
22 *under contract with the State Department of Health*  
23 *Services to hold this sample for a period of 18 years*  
24 *following the adoption of the child.*

25 (3) *The purpose of the stored sample of blood is to*  
26 *provide a blood sample from which DNA testing can be*  
27 *done at a later date at the request of the adoptive parents*  
28 *or the adopted child. The cost of storing the blood samples*  
29 *shall be paid for by a separate fee in addition to the fee*  
30 *required under Section 8716. The amount of this*  
31 *additional fee shall be based on the cost of storing the*  
32 *blood samples but at no time shall the additional fee be*  
33 *more than one hundred dollars (\$100).*

34 SEC. 2. Section 8817 of the Family Code is amended  
35 to read:

36 8817. (a) A written report on the child's medical  
37 background, and if available, the medical background of  
38 the child's biological parents, ~~including the results of~~



1 ~~DNA analysis~~, so far as ascertainable, shall be made by the  
2 department or delegated county adoption agency as part  
3 of the study required by Section 8806.

4 (b) The report on the child's background shall contain  
5 all known diagnostic information, including current  
6 medical reports on the child, psychological evaluations,  
7 and scholastic information, as well as all known  
8 information regarding the child's developmental history  
9 and family life.

10 (c) The report shall be submitted to the prospective  
11 adoptive parents who shall acknowledge its receipt in  
12 writing.

13 (d) (1) *The biological parents may provide a blood*  
14 *sample at a clinic or hospital approved by the State*  
15 *Department of Health Services. The biological parents'*  
16 *refusal or inability to provide a blood sample shall not*  
17 *prevent the adoption of the child.*

18 (2) *The blood sample shall be stored at a laboratory*  
19 *under contract with the State Department of Health*  
20 *Services to hold this sample for a period of 18 years*  
21 *following the adoption of the child.*

22 (3) *The purpose of the stored sample of blood is to*  
23 *provide a blood sample from which DNA testing can be*  
24 *done at a later date at the request of the adoptive parents*  
25 *or the adopted child. The cost of storing the blood samples*  
26 *shall be paid for by a separate fee in addition to the fee*  
27 *required under Section 8810. The amount of this*  
28 *additional fee shall be based on the cost of storing the*  
29 *blood samples but at no time shall the additional fee be*  
30 *more than one hundred dollars (\$100).*

31 SEC. 3. Section 8909 of the Family Code is amended  
32 to read:

33 8909. (a) An agency may not place a child for  
34 adoption unless a written report on the child's medical  
35 background and, if available, the medical background of  
36 the child's biological parents, ~~including the results of~~  
37 ~~DNA analysis~~, so far as ascertainable, has been submitted  
38 to the prospective adoptive parents and they have  
39 acknowledged in writing the receipt of the report.



1 (b) The report on the child’s background shall contain  
2 all known diagnostic information, including current  
3 medical reports on the child, psychological evaluations,  
4 and scholastic information, as well as all known  
5 information regarding the child’s developmental history  
6 and family life.

7 (c) (1) *The biological parents may provide a blood*  
8 *sample at a clinic or hospital approved by the State*  
9 *Department of Health Services. The biological parents’*  
10 *refusal or inability to provide a blood sample shall not*  
11 *prevent the adoption of the child.*

12 (2) *The blood sample shall be stored at a laboratory*  
13 *under contract with the State Department of Health*  
14 *Services to hold this sample for a period of 18 years*  
15 *following the adoption of the child.*

16 (3) *The purpose of the stored sample of blood is to*  
17 *provide a blood sample from which DNA testing can be*  
18 *done at a later date at the request of the adoptive parents*  
19 *or the adopted child. The cost of storing the blood samples*  
20 *shall be paid for by a separate fee in addition to any fee*  
21 *required under Section 8907. The amount of this*  
22 *additional fee shall be based on the cost of storing the*  
23 *blood samples but at no time shall the additional fee be*  
24 *more than one hundred dollars (\$100).*

