

By: Watson

To: Judiciary A

HOUSE BILL NO. 989

1 AN ACT TO AMEND SECTION 93-17-3, MISSISSIPPI CODE OF 1972, TO
2 ALLOW NURSE PRACTITIONERS TO CERTIFY THE PHYSICAL AND MENTAL
3 CONDITION OF A CHILD TO BE ADOPTED; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. Section 93-17-3, Mississippi Code of 1972, is
6 amended as follows:

7 93-17-3. Any person may be adopted in accordance with the
8 provisions of this chapter in term time or in vacation by an
9 unmarried adult or by a married person whose spouse joins in the
10 petition, provided that the petitioner or petitioners shall have
11 resided in this state for ninety (90) days preceding the filing of
12 the petition. However, if (a) the petitioner or petitioners, or
13 one (1) of them, be related to the child within the third degree
14 according to civil law, or if (b) the adoption is presented to the
15 court by an adoption agency licensed by the State of Mississippi,
16 said residence restriction shall not apply. Such adoption shall
17 be by sworn petition filed in the chancery court of the county in
18 which the adopting petitioner or petitioners reside or in which
19 the child to be adopted resides or was born, or was found when it
20 was abandoned or deserted, or in which the home is located to
21 which the child shall have been surrendered by a person authorized
22 to so do. The petition shall be accompanied by a doctor's or
23 nurse practitioner's certificate showing the physical and mental
24 condition of the child to be adopted and a sworn statement of all
25 property, if any owned by the child. Should the doctor's or nurse
26 practitioner's certificate indicate any abnormal mental or

27 physical condition or defect, such condition or defect shall not
28 in the discretion of the chancellor bar the adoption of the child
29 if the adopting parent or parents shall file an affidavit stating
30 full and complete knowledge of such condition or defect and
31 stating a desire to adopt the child, notwithstanding such
32 condition or defect. The court shall have the power to change the
33 name of the child as a part of the adoption proceedings. The word
34 "child" herein shall be construed to refer to the person to be
35 adopted, though an adult.

36 SECTION 2. This act shall take effect and be in force from
37 and after July 1, 2000.