

CHAPTER 19**(HB 206)**

AN ACT relating to the Kentucky National Guard Adoption Assistance Program and declaring an emergency.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 36.477 is amended to read as follows:

- (1) There is hereby established the Kentucky National Guard Adoption Assistance Program to be administered by the Kentucky Department of Military Affairs.
- (2) Any member of the Kentucky National Guard who finalizes a legal adoption procedure for the adoption of a child, other than the child of a spouse, on or after July 12, 2012, shall be eligible to receive reimbursement from the military family assistance trust fund as provided in KRS 36.474 for actual costs associated with the adoption of the child, including a child with special needs. For the purposes of this section, a child with special needs means the same as defined in KRS 199.555(1).
- (3) The eligible member of the Kentucky National Guard shall receive:
 - (a) Up to ~~seven~~~~five~~ thousand dollars (~~\$7,000~~~~[\$5,000]~~) in unreimbursed direct costs related to the adoption of a child with special needs; or
 - (b) Up to ~~five~~~~three~~ thousand dollars (~~\$5,000~~~~[\$3,000]~~) in unreimbursed direct costs related to the adoption of any other child.
- (4) Unreimbursed direct costs related to the adoption of a child with special needs or other child shall include:
 - (a) Licensed adoption agency fees;
 - (b) Legal fees;
 - (c) Medical costs;
 - (d) Court costs; and
 - (e) Other fees or costs associated with the child adoption in accordance with state and federal law and after review and approval by the court at the finalization of the adoption.
- (5) Application for financial assistance shall be made by submitting a completed Kentucky National Guard adoption assistance application to the adjutant general along with documentary evidence of:
 - (a) Finalization of the adoption; and
 - (b) Certification by the secretary of the Cabinet for Health and Family Services that the adopted child is a child with special needs, if reimbursement for special needs adoption is sought.
- (6) If both adoptive parents are members of the Kentucky National Guard, the application for financial assistance shall be made jointly and the amount of reimbursement shall be limited to that specified in subsection (2) of this section.
- (7) Upon approval of the application for financial assistance, the adjutant general shall dispense funds from the military family assistance trust fund to the eligible applicant.
- (8) The Department of Military Affairs shall promulgate administrative regulations in accordance with KRS Chapter 13A to carry out the provisions of this section.

➔Section 2. Whereas the men and women of the Kentucky National Guard consistently distinguish themselves with their courage and service that goes beyond the call of duty, and Executive Order 2019-787 raised the benefits of the Adoption Assistance Program for state employees but not for the members of the National Guard, an emergency is declared to exist, and this Act takes effect upon its passage and approval by the Governor or upon its otherwise becoming a law.

Signed by Governor March 15, 2021.

