

1 AN ACT relating to adoption.

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

3 ➔Section 1. KRS 199.540 is amended to read as follows:

- 4 (1) If a child adopted under KRS 199.470 to 199.520 reveals a definite ***trait or***  
5 ***condition***~~[traits of ethnological ancestry different from those of the adoptive~~  
6 ~~parents, and]~~ of which the adoptive parents had no knowledge or information prior  
7 to the adoption, a petition setting forth the facts may be filed by the original  
8 petitioner or the cabinet at any time within five (5) years after the adoption with the  
9 court which decreed the adoption. If upon hearing the facts set forth in the petition  
10 ***those facts***~~[they]~~ are established ***to the satisfaction of the court, and the court***  
11 ***finds that it would be in the best interest of the child to reverse the adoption,*** the  
12 court may enter a decree of annulment of the adoption, ***setting forth the specific***  
13 ***findings of the court,*** and setting aside any or all rights or obligations which may  
14 have accrued by reason of the adoption.
- 15 (2) After the expiration of one (1) year from the date of the entry of judgment of  
16 adoption, the validity thereof shall not be subject to attack in any action, collateral  
17 or direct, by reason of any irregularity or failure to comply with KRS 199.470 to  
18 199.520, either procedurally or substantively.