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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 252

01/31/2013 Authored by Allen, Scott, Clark, Abeler and Persell

The bill was read for the first time and referred to the Committee on Civil Law

1.1 A bill for an act
1.2 relating to family law; adoption; modifying certain child placement proceedings;
1.3 amending Minnesota Statutes 2012, section 260.771, subdivision 3.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2012, section 260.771, subdivision 3, is amended to read:

1.6 Subd. 3. **Transfer of proceedings.** In a proceeding for (1) the termination of
1.7 parental rights or, (2) the involuntary foster care placement of an Indian child not within
1.8 the jurisdiction of subdivision 1, or (3) the preadoptive placement or adoptive placement
1.9 of an Indian child not within the jurisdiction of subdivision 1, the court, in the absence of
1.10 good cause to the contrary, shall transfer the proceeding to the jurisdiction of the tribe
1.11 absent objection by either parent, upon the petition of either parent or the Indian custodian
1.12 or the Indian child's tribe. The transfer shall be subject to declination by the tribal court
1.13 of such tribe. For purposes of this subdivision, "preadoptive placement" and "adoptive
1.14 placement" have the meanings given in section 260.755, subdivision 3.