

259A.35 TERMINATION OF AGREEMENT.

Subdivision 1. **Reasons for termination.** (a) An adoption assistance agreement shall terminate in any of the following circumstances:

- (1) the child has attained the age of 18, or up to age 21, when the child meets a condition for extension as outlined in section 259A.45, subdivision 1;
- (2) the child has not attained the age of 18, but the commissioner determines the adoptive parent is no longer legally responsible for support of the child;
- (3) the commissioner determines the adoptive parent is no longer providing financial support to the child up to age 21;
- (4) the death of the child; or
- (5) the adoptive parent requests in writing termination of the adoption assistance agreement.

(b) An adoptive parent is considered no longer legally responsible for support of the child in any of the following circumstances:

- (1) parental rights to the child are legally terminated or a court accepted the parent's consent to adoption under chapter 260C;
- (2) permanent legal and physical custody or guardianship of the child is transferred to another individual;
- (3) the death of adoptive parent;
- (4) the child enlists in the military;
- (5) the child gets married; or
- (6) the child is determined an emancipated minor through legal action.

Subd. 2. **Death of adoptive parent or adoption dissolution.** The adoption assistance agreement ends upon death or termination of parental rights of both adoptive parents in the case of a two-parent adoption, or the sole adoptive parent in the case of a single-parent adoption. The child's adoption assistance eligibility may be continued according to section 259A.40.

Subd. 3. **Termination notice for parent.** The commissioner shall provide the child's parent written notice of termination of payment. Termination notices must be sent according to the requirements and procedures prescribed by the commissioner.

History: 2012 c 216 art 3 s 8