

Bill No.: SF0094 **Effective:** **Immediately**

LSO No.: **23LSO-0494**

Enrolled Act No.: SEA No. 0089

Chapter No.: 154

Prime Sponsor: Ellis

Catch Title: **Federal Indian Child Welfare Act codification.**

Subject: Codifying the Indian Child Welfare Act into Wyoming law.

Summary/Major Elements:

- The Indian Child Welfare Act of 1978 is a federal law that provides procedures for states to follow regarding child abuse cases, neglect cases and adoption proceedings involving Indian children.
- This act substantially codifies the Indian Child Welfare Act into state law. Among other things, the act provides:
 - That an Indian tribe has exclusive jurisdiction over child custody proceedings (those concerning adoption, abuse or neglect) involving an Indian child who resides within the tribe's reservation.
 - For requirements to provide notice to parents, Indian custodians and tribes of pending child-custody proceedings involving Indian children.
 - For parental rights and protections in child-custody proceedings involving Indian children, including the right to consent and to withdraw consent for shelter care placements, relinquishment and adoption of Indian children.
 - A preference list for the adoptive placement of an Indian child.
 - Reporting requirements for state courts entering a final decree or order in any adoption proceeding involving an Indian child; reports must be sent to the Department of Family Services and the United States Secretary of the Interior.
- The act applies to any case or proceeding involving an Indian child on and after July 1, 2023.
- This act is repealed on July 1, 2027.

Comments:

- This act imposes reporting requirements on state courts in adoption proceedings involving Indian children.

The above summary is not an official publication of the Wyoming Legislature and is not an official statement of legislative intent. While the Legislative Service Office endeavored to provide accurate information in this summary, it should not be relied upon as a comprehensive abstract of the bill.