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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2123 Session of 2026

INTRODUCED BY McNEILL, DALEY, RIVERA, HANBIDGE, SANCHEZ, HILL-EVANS, BRENNAN, HOHENSTEIN, HOWARD, NEILSON, INGLIS, MADDEN AND CURRY, JANUARY 9, 2026

AS REPORTED FROM COMMITTEE ON CHILDREN AND YOUTH, HOUSE OF REPRESENTATIVES, AS AMENDED, OCTOBER 7, 2026

AN ACT

Amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in jurisdiction and parties, further providing for representation; in proceedings prior to petition to adopt, further providing for home study and preplacement report; providing for adoption intermediary services and advertising; ~~establishing the Adoption Intermediary Services Fund;~~ IMPOSING DUTIES ON THE OFFICE OF ATTORNEY GENERAL; and imposing penalties. <-- <--

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Sections 2313 and 2530 of Title 23 of the Pennsylvania Consolidated Statutes are amended by adding subsections to read:

§ 2313. Representation.

* * *

(a.2) Separate legal representation required.--

(1) In a proceeding under this part regarding the voluntary relinquishment of a child:

(i) Except as provided in subparagraph (ii), a placing parent of the child shall be represented by an

attorney licensed to practice law in this Commonwealth.

(ii) A placing parent may waive the right described under subparagraph (i) after being fully informed of the right. The following apply to a waiver:

(A) The waiver must be in writing.

(B) A person may not require, request or otherwise compel a placing parent to waive the right to representation as a condition of proceeding with an adoption.

(iii) An attorney representing a placing parent of the child may not represent any of the following and may not be affiliated, as an associate, partner, shareholder or otherwise, with a law firm representing any of the following:

(A) A prospective adoptive parent of the child.

(B) A representative or agent of a prospective adoptive parent of the child.

(C) The agency or other person involved in the voluntary relinquishment of the child.

(2) As used in this subsection, the following words and phrases shall have the meanings given to them in this paragraph unless the context clearly indicates otherwise:

"Placing parent." As defined in section 2801 (relating to definitions).

"Prospective adoptive parent." As defined in section 2801.

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§ 2530. Home study and preplacement report.

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(a.1) Training as part of home study.--A home study may

include a minimum of six hours of training on transracial adoption, attachment and trauma-informed parenting. An agency that provides adoption services may provide the training under this subsection.

* * *

Section 2. Title 23 is amended by adding a chapter to read:

CHAPTER 28

ADOPTION INTERMEDIARY SERVICES AND ADVERTISING

Sec.

2801. Definitions.
2802. Authority of ~~department~~ OFFICE OF ATTORNEY GENERAL. <--
2803. Adoption intermediary services.
2804. Adoption advertising.
~~2805. Adoption Intermediary Services Fund.~~ <--

§ 2801. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Adoption advertising." An advertisement, article, notice or other paid communication published in a newspaper or magazine, on the Internet, on a billboard, over radio or television or through any public media that does any of the following:

(1) Solicits placing parents or prospective adoptive parents for the purpose of acting as a link between a placing parent and prospective adoptive parent for the placement of a child for adoption.

(2) Offers to pay, reimburse or otherwise provide anything of value to a placing parent of a child in connection with the birth or adoption of the child, including living expenses, medical or hospital care and other expenses.

"Adoption intermediary services." Any of the following actions in exchange for direct or indirect compensation or other consideration that is, or is to be, paid or otherwise given:

(1) Soliciting placing parents or prospective adoptive parents, whether through adoption advertising or other means, for the purpose of acting as a link between a placing parent and prospective adoptive parent for the placement of a child for adoption.

(2) Acting as a link between a placing parent and prospective adoptive parent, whether directly or through a representative, attorney or agent of the placing parent or prospective adoptive parent, for the placement of a child for adoption.

"Department." The Department of Human Services of the Commonwealth.

"Fund." ~~The Adoption Intermediary Services Fund established under section 2805(a) (relating to Adoption Intermediary Services Fund).~~ <--

"Placing parent."

(1) An individual who is permitted under State law to place a child for adoption voluntarily and whose parental rights to the child have not been terminated.

(2) The term includes:

(i) A biological or adoptive mother of the child.

(ii) A biological, adoptive or legal father of the child.

(iii) A representative, attorney or agent of the individual.

"Prospective adoptive parent."

(1) An individual who, with the intent to adopt a child,

holds a valid, unrevoked and unexpired home study in accordance with this part.

(2) The term includes a representative, attorney or agent of the individual.

§ 2802. Authority of ~~department~~ OFFICE OF ATTORNEY GENERAL. <--

The ~~department~~ OFFICE OF ATTORNEY GENERAL shall administer and enforce the provisions of this chapter. <--

§ 2803. Adoption intermediary services.

(a) Offense.--A person may not provide adoption intermediary services unless the person is an agency, the department or an attorney licensed to practice law in this Commonwealth.

(b) Penalties.--A person that violates this section shall be subject to the following:

(1) For a first violation, a fine of $15,000. The ~~department~~ OFFICE OF ATTORNEY GENERAL shall waive the fine under this paragraph unless the ~~department~~ OFFICE OF ATTORNEY GENERAL determines that the person demonstrated willful disregard of the requirements of this section. <--

(2) For a second violation, a fine of $20,000.

(3) For a third or subsequent violation, a fine of $30,000.

(c) Deposit in ~~fund~~ GENERAL FUND.--Each fine imposed and collected by the ~~department~~ OFFICE OF ATTORNEY GENERAL under this section shall be deposited into the ~~fund~~ GENERAL FUND. <--

§ 2804. Adoption advertising.

(a) Offense.--A person may not engage in adoption advertising unless the person is an agency, the department or an attorney licensed to practice law in this Commonwealth.

(b) Penalties.--A person that violates this section shall be subject to the following:

(1) For a first violation, a fine of $10,000. The ~~department~~ OFFICE OF ATTORNEY GENERAL shall waive the fine under this paragraph unless the ~~department~~ OFFICE OF ATTORNEY GENERAL determines that the person ~~demonstrated willful~~ DEMONSTRATED WILLFUL disregard of the requirements of this section. <--

(2) For a second violation, a fine of $15,000.

(3) For a third or subsequent violation, a fine of $20,000.

(c) Deposit in ~~fund~~ GENERAL FUND.--Each fine imposed and collected by the ~~department~~ OFFICE OF ATTORNEY GENERAL under this section shall be deposited into the ~~fund~~ GENERAL FUND. <--

(d) Construction.--Nothing in this section shall be construed to penalize or apply penalties to prospective adoptive parents advertising that they are available for the placement of a child into their care for the purposes of adoption, if they have a valid, unrevoked and unexpired home study in accordance with this part.

~~§ 2805. Adoption Intermediary Services Fund.~~ <--

~~(a) Establishment.--The Adoption Intermediary Services Fund is established in the State Treasury.~~

~~(b) Use of money.--The money in the fund shall be appropriated on a continuing basis to the department to be used to administer and enforce sections 2803 (relating to adoption intermediary services) and 2804 (relating to adoption advertising).~~

Section 3. This act shall apply to proceedings and actions commenced on or after the effective date of this section.

Section 4. This act shall take effect in 60 days.