

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 133 Session of 2025

INTRODUCED BY KRAJEWSKI, DELOZIER, WAXMAN, HILL-EVANS, WEBSTER, McNEILL, SAMUELSON, RIVERA, SANCHEZ, FIEDLER, CEPEDA-FREYTIZ, HOWARD, HOHENSTEIN AND GREEN, SEPTEMBER 17, 2025

AS REPORTED FROM COMMITTEE ON CHILDREN AND YOUTH, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 2, 2026

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in proceedings prior to petition to
3 adopt, further providing for relinquishment to adult
4 intending to adopt child, for alternative procedure for
5 relinquishment and for petition for involuntary termination;
6 and providing for reinstatement of parental rights.

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

9 Section 1. Section 2502(a) of Title 23 of the Pennsylvania
10 Consolidated Statutes is amended to read:

11 § 2502. Relinquishment to adult intending to adopt child.

12 (a) Petition.--When any child under the age of 18 years has
13 been for a minimum period of three days in the exclusive care of
14 an adult or adults who have filed a report of intention to adopt
15 required by section 2531 (relating to report of intention to
16 adopt), or when a petition for reinstatement of parental rights
17 has been filed under Chapter 30 (relating to reinstatement of
18 parental rights), the parent or parents of the child may
19 petition the court for permission to relinquish forever all

1 parental rights to their child.

2 * * *

3 Section 2. Section 2504 of Title 23 is amended by adding a
4 subsection to read:

5 § 2504. Alternative procedure for relinquishment.

6 * * *

7 (a.1) Petition to confirm consent to reinstatement of
8 parental rights.--If the parent or parents of the child have
9 executed consents to reinstatement of parental rights under
10 Chapter 30 (relating to reinstatement of parental rights), upon
11 petition by a party under section 3001(a) (relating to
12 petition), the court shall hold a hearing for the purpose of
13 confirming a consent to reinstatement of parental rights. The
14 original consent or consents shall be attached to the petition.

15 * * *

16 Section 3. Section 2512(b) (3) of Title 23 is amended and
17 subsection (a) is amended by adding a paragraph to read:

18 § 2512. Petition for involuntary termination.

19 (a) Who may file.--A petition to terminate parental rights
20 with respect to a child under the age of 18 years may be filed
21 by any of the following:

22 * * *

23 (5) A party under section 3001(a) (relating to petition)
24 or an attorney representing the party.

25 (b) Contents.--The following apply:

26 * * *

27 (3) If the petitioner is a parent and section 2514
28 (relating to special provisions when child conceived as a
29 result of rape or incest) applies, or if the petitioner is an
30 agency, or if the petitioner is a party under section

1 3001(a), the petitioner shall not be required to aver that an
2 adoption is presently contemplated nor that a person with a
3 present intention to adopt exists.

4 * * *

5 Section 4. Title 23 is amended by adding a chapter to read:

6 CHAPTER 30
7 REINSTATEMENT OF PARENTAL RIGHTS

8 Sec.

9 3001. Petition.

10 3002. Representation.

11 3003. Hearing.

12 3004. Orders.

13 § 3001. Petition.

14 (a) Persons who may file.--The following persons may file a
15 petition with the court under this chapter to reinstate the
16 parental rights of a former parent whose parental rights were
17 terminated by the agency under Subchapter A of Chapter 25
18 (relating to voluntary relinquishment) or Subchapter B of
19 Chapter 25 (relating to involuntary termination), UNLESS THE <--
20 FORMER PARENT'S PARENTAL RIGHTS WERE PREVIOUSLY INVOLUNTARILY
21 TERMINATED UNDER SECTION 2511(A) (7), (9), (10) OR (11) (RELATING
22 TO GROUNDS FOR INVOLUNTARY TERMINATION):

23 (1) the agency;

24 ~~(2) the child or former child or an attorney~~ <--
25 ~~representing the child who is the subject of the petition; or~~

26 (2) IF THE CHILD IS AT LEAST 14 YEARS OF AGE, THE CHILD, <--
27 FORMER CHILD OR AN ATTORNEY REPRESENTING THE CHILD WHO IS THE
28 SUBJECT OF THE PETITION; OR

29 (3) the former parent whose parental rights were
30 voluntarily relinquished or involuntarily terminated, or an

1 attorney representing the former parent.

2 (b) Requirements.--A petition for reinstatement of parental
3 rights may be filed under this chapter only if:

4 (1) the termination of parental rights resulted from a
5 petition filed by the agency;

6 (2) the order terminating parental rights is final; and

7 (3) at least ~~one year~~ has 15 MONTHS HAVE elapsed since <--

8 entry of the order terminating parental rights, or the child

9 is at least 17 years of age, and one of the following

10 applies:

11 (i) the child has not been adopted and no petition
12 for adoption has been filed;

13 (ii) the child is in the custody of the agency;

14 (iii) the child is no longer in the care of the

15 adoptive parent AND THE ADOPTIVE PARENT IS NOT PERFORMING <--

16 PARENTAL DUTIES AND REUNIFICATION WITH THE ADOPTIVE

17 PARENT IS NOT IMMINENT;

18 (iv) a petition under section 2501 (relating to

19 relinquishment to agency), 2502 (relating to

20 relinquishment to adult intending to adopt child) or 2504

21 (relating to alternative procedure for relinquishment)

22 regarding the adoptive parent has been filed or will be

23 filed; or

24 (v) a petition under section 2512 (relating to

25 petition for involuntary termination) regarding the

26 adoptive parent has been filed or will be filed.

27 (c) Content.--The contents of the petition for reinstatement

28 of parental rights must be sworn by the petitioner and include

29 the following information:

30 (1) the name of the petitioner;

1 (2) the name, date of birth and current residence
2 address of the former parent whose parental rights are sought
3 to be reinstated;

4 (3) the child's name, or last known name and, if known,
5 date and place of birth and current address;

6 (4) a statement of the grounds on which the court
7 rendered the order terminating the former parent's parental
8 rights;

9 (5) a summary statement of the facts and evidence that
10 the petitioner believes demonstrate the former parent whose
11 parental rights are sought to be reinstated is willing and
12 able to provide day-to-day care and maintain the child's
13 health, safety and welfare;

14 (6) a statement of the former parent whose parental
15 rights are sought to be reinstated requesting the
16 reinstatement of parental rights ~~or an averment that, despite~~<--
17 good faith efforts, the statement cannot be obtained;

18 (7) if the child is 12 years of age or older, a
19 statement whether the child consents to the reinstatement of
20 parental rights or an averment that, despite good faith
21 efforts, the child's position cannot be ascertained;

22 (8) a statement about why reinstatement of parental
23 rights would be in the best interest of the child;

24 (9) a summary of any prior request or motion for
25 reinstatement by the former parent whose parental rights are
26 sought to be reinstated and, if the former parent is not the
27 petitioner, by the petitioner with respect to the child; and

28 (10) if the child has been adopted, an averment stating
29 whether a petition regarding the adoptive parent under
30 section 2501, 2502 or 2504, or a petition under section 2512,

1 has been or will be filed, and whether it is filed
2 concurrently with or before the petition for reinstatement of
3 parental rights.

4 (d) Notice.--The court shall serve the petition for
5 reinstatement of parental rights and notice of hearing on:

6 (1) the child or the child's representative;

7 (2) the agency attorney;

8 (3) the child's attorney;

9 (4) if the former parent is not the petitioner, the
10 former parent whose parental rights are sought to be
11 reinstated;

12 (5) the adoptive parent, unless parental rights have
13 already been terminated; and

14 (6) if the child is subject to the Indian Child Welfare
15 Act of 1978 (Public Law 95-608, 25 U.S.C. § 1901 et seq.),
16 the designated tribal service agent of the child's tribe and
17 any other person entitled to notice under Federal law.

18 (E) INVESTIGATION.--WHEN A PETITION FOR REINSTATEMENT OF <--
19 PARENTAL RIGHTS HAS BEEN FILED, THE COURT MAY CAUSE AN
20 INVESTIGATION TO BE MADE AND A REPORT TO BE FILED BY A LOCAL
21 PUBLIC CHILD CARE AGENCY, A VOLUNTARY CHILD CARE AGENCY WITH THE
22 COURT'S CONSENT OR AN APPROPRIATE PERSON DESIGNATED BY THE
23 COURT. THE FOLLOWING SHALL APPLY:

24 (1) THE INVESTIGATION SHALL COVER ALL PERTINENT
25 INFORMATION REGARDING THE CHILD'S ELIGIBILITY FOR
26 REINSTATEMENT OF PARENTAL RIGHTS AND THE SUITABILITY OF THE
27 HOME, INCLUDING THE PHYSICAL, MENTAL AND EMOTIONAL NEEDS AND
28 WELFARE OF THE CHILD.

29 (2) THE COURT MAY ESTABLISH THE PROCEDURE FOR THE
30 PAYMENT OF COSTS OF THE INVESTIGATION. THE COSTS SHALL BE

1 WAIVED FOR PARTIES ELIGIBLE FOR IN FORMA PAUPERIS STATUS.

2 § 3002. Representation.

3 (a) Child.--The court shall appoint counsel or a guardian ad
4 litem to represent the child in a proceeding under this chapter.
5 A guardian ad litem shall be an attorney at law and shall
6 represent the child's legal and best interests. The following
7 shall apply:

8 (1) If the child's legal and best interests conflict,
9 the guardian ad litem may move the court to be appointed as
10 legal counsel and for appointment of a separate guardian ad
11 litem.

12 (2) If the child is already represented by counsel or a
13 guardian ad litem, the court shall appoint the same attorney
14 or attorneys to represent the child in proceedings under this
15 chapter.

16 (b) Former parent.--

17 (1) The court shall appoint counsel for a former parent
18 in a proceeding under this chapter if, upon petition of the
19 former parent, the court determines:

20 (i) the former parent is unable to pay for counsel;

21 or

22 (ii) payment would result in substantial financial
23 hardship.

24 (2) The court shall appoint counsel on behalf of the
25 former parent no later than upon service of notice of the
26 petition as required in section 3001 (relating to petition).

27 § 3003. Hearing.

28 (a) Prehearing conference.--Upon the filing of a petition
29 under this chapter, the court shall conduct a prehearing
30 conference not later than 30 days after filing to determine

1 compliance with sections 3001 (relating to petition) and 3002
2 (relating to representation), identify the issues for hearing
3 and resolve discovery matters. The following shall apply:

4 (1) If the petitioner fails to appear, the court shall
5 dismiss the petition.

6 (2) If the child is in the custody of the agency, the
7 agency shall file with the court and serve on all parties and
8 counsel a report identifying the services and supports the
9 family receives or will receive. The report shall be filed
10 and served not later than the prehearing conference. The
11 prehearing conference shall be held no later than 30 days
12 after the filing of the petition.

13 (3) If the court determines that the requirements of
14 sections 3001 and 3002 have been met, the court shall
15 schedule an evidentiary hearing not later than 60 days after
16 the prehearing conference.

17 (b) Procedure.--

18 (1) The court shall hold a hearing under this chapter
19 not later than 60 days after the prehearing conference under
20 subsection (a).

21 (2) The petitioner has the burden of proof in the
22 hearing, and each party may call witnesses and present
23 evidence.

24 (3) If the child is 12 years of age or older, the child
25 shall appear at the hearing. If the child is under 12 years
26 of age, the court may, for good cause shown, waive the
27 child's appearance. On motion of a party or on its own
28 motion, the court shall permit the child to testify via
29 video.

30 (4) Subject to subsection (c), the court may grant the

1 petition and order reinstatement of the former parent's
2 parental rights only if the court finds by clear and
3 convincing evidence the following factors:

4 (i) reinstatement of parental rights is in the
5 child's best interests;

6 (II) MATERIAL CHANGES IN CIRCUMSTANCES RELATED TO <--
7 THE TERMINATION OF PARENTAL RIGHTS WHICH HAVE OCCURRED
8 SINCE THE DATE OF THE TERMINATION OF PARENTAL RIGHTS;

9 ~~(ii)~~ (III) at least one of the following applies: <--

10 (A) the child has not been adopted;

11 (B) the child is no longer in the care of the
12 adoptive parent;

13 (C) a decree under section 2503(c) (relating to
14 hearing) terminating the adoptive parent's rights has
15 been entered or is entered concurrently; or

16 (D) a decree under section 2513(d) (relating to
17 hearing) terminating the adoptive parent's rights has
18 been entered or is entered concurrently;

19 ~~(iii)~~ (IV) if the child is 12 years of age or older, <--
20 the child consents to the reinstatement and desires to
21 reside with the parent; and

22 ~~(iv)~~ (V) the former parent is willing and able to <--
23 provide day-to-day care and maintain the child's health,
24 safety and welfare.

25 (c) Additional considerations by the court.--In determining
26 whether to grant a petition under this chapter relating to a
27 child who is under 12 years of age on the date the petition is
28 filed, the court shall consider, in addition to the factors
29 described in subsection (b) (4):

30 (1) the child's age, maturity and ability to express a

1 preference; and

2 (2) the child's preference regarding the reinstatement.

3 (d) Related proceedings.--If a petition under section 2501
4 (relating to relinquishment to agency), 2502 (relating to
5 relinquishment to adult intending to adopt child), 2504
6 (relating to alternative procedure for relinquishment) or 2512
7 (relating to petition for involuntary termination) has been
8 filed regarding the adoptive parent, the court shall hold the
9 hearing required by section 2503 or 2513 on that petition before
10 or concurrently with the hearing under this chapter.

11 (e) Consents when child adopted.--

12 (1) If the child has been adopted and the adoptive
13 parent is not deceased, reinstatement under this chapter
14 requires the consent of:

15 (i) the adoptive parent; and

16 (ii) the child, if 12 years of age or older.

17 (2) A consent executed outside this Commonwealth is
18 valid if executed in accordance with the law of the
19 jurisdiction where executed. A consent to reinstatement may
20 be revoked only as provided in this paragraph. Revocation
21 shall be in writing and served upon the agency or adult to
22 whom the child was relinquished. The following shall apply:

23 (i) Except as provided in subparagraph (iii), a
24 consent to reinstatement executed by an adoptive parent
25 is irrevocable more than 30 days after execution.

26 (ii) A person may not waive the revocation period
27 under subparagraph (i).

28 (iii) Notwithstanding subparagraph (i):

29 (A) A person who executed a consent to
30 reinstatement may challenge its validity only by

1 filing a petition alleging fraud or duress within the
2 earlier of 60 days after execution of the consent or
3 30 days after entry of the reinstatement decree.

4 (B) A consent may be invalidated only upon proof
5 of fraud or duress by a preponderance of the evidence
6 if the consenter was 21 years of age or younger, or
7 by clear and convincing evidence in all other cases.

8 (3) The following shall apply:

9 (i) The consent of an adoptive parent for a child
10 under 18 years of age shall set forth the name, age and
11 marital status of the parent, the relationship of the
12 consenter to the child, the name of the other parent or
13 parents of the child and the following:

14 I hereby voluntarily and unconditionally consent
15 to the reinstatement of parental rights of the above
16 named child.

17 I understand that by signing this consent I
18 indicate my intent to permanently give up all rights
19 to this child.

20 I understand such child will have the parental
21 rights of the former parent reinstated.

22 I understand I may revoke this consent to
23 permanently give up all rights to this child by
24 placing the revocation in writing and serving it upon
25 the agency or adult to whom the child was
26 relinquished.

27 I understand that this consent to reinstatement
28 of parental rights is irrevocable unless I revoke it
29 within 30 days after executing it by delivering a
30 written revocation to (insert the name and address of

1 the agency coordinating the reinstatement of parental
2 rights) or (insert the name and address of an
3 attorney who represents the individual relinquishing
4 parental rights or the former parent seeking
5 reinstatement of parental rights of the child) or
6 (insert the court of the county in which the
7 voluntary relinquishment form was or will be filed).

8 I have read and understand the above and I am
9 signing it as a free and voluntary act.

10 (ii) The consent shall include the date and place of
11 execution and the names, addresses and signatures of at
12 least two witnesses and their relationship to the
13 consenter. The consent of an incarcerated parent of an
14 adoptee may be witnessed by a correctional facility
15 employee designated by the facility, and any such consent
16 shall list the facility's address. In lieu of two
17 witnesses, a consent may be acknowledged before a notary
18 public.

19 § 3004. Orders.

20 (a) Time period.--Not later than 30 days after a hearing
21 under this chapter, the court shall render a written order
22 granting or denying the petition.

23 (b) Grant of petition.--If the court renders an order
24 granting the petition, the court shall enter the court's
25 findings and detailed reasons for the grant of the petition. The
26 order shall state that all legal rights, powers, privileges,
27 immunities, duties and obligations of the former parent
28 regarding the child, including with respect to custody, care,
29 control and support, are reinstated.

30 (c) Denial of petition.--If the court renders an order

1 denying the petition, the order shall include:

2 (1) the court's findings and detailed reasons for denial
3 of the petition; and

4 (2) a statement prohibiting the filing of a subsequent
5 petition with respect to the former parent's parental rights
6 before the first anniversary of the date the order of denial
7 was issued.

8 (d) Separate decree required if child adopted.--If the child
9 has been adopted, a decree under section 2503(c) (relating to
10 hearing), 2504(c) (relating to alternative procedure for
11 relinquishment) or 2513(d) (relating to hearing) shall be
12 required before a decree may be entered under this chapter.

13 (e) Effect on other former parent.--The grant of a petition
14 reinstating one former parent's parental rights shall not
15 restore or otherwise affect the rights of any other former
16 parent.

17 (f) Support liability.--A parent whose rights are reinstated
18 under this section shall not be liable for child support or the
19 cost of services provided to the child for the period from the
20 date of the order terminating the parent's rights to the date of
21 the order reinstating the parent's rights.

22 (g) Application.--This section shall apply retroactively to
23 a child who is under the jurisdiction of the court at the time
24 of the hearing, regardless of the date on which parental rights
25 were terminated.

26 Section 5. This act shall take effect in 60 days.