

VETOES

(1) it is in the best interest of the child to terminate the natural parent's rights as to the child;

(2) the child has been out of the custody of the natural parent for at least [3 years] 1 YEAR;

(3) the child has developed significant feelings toward and emotional ties with the petitioner; and

(4) the natural parent:

(i) has not maintained meaningful contact with the child during the time the petitioner has had custody despite the opportunity to do so;

(ii) has repeatedly failed to contribute to the physical care and support of the child although financially able to do so; or

(iii) has been convicted of child abuse of the child.

(c) In determining whether it is in the best interest of the child to terminate a natural parent's rights as to the child under this section, the court shall request:

(1) an investigation by an appropriate agency; and

(2) a report of the investigation that includes summaries of:

(i) the child's feelings toward and emotional ties with the child's natural parents, the child's siblings, the petitioner, and any other individual who may significantly affect the child's best interest;

(ii) the child's adjustment to home, school, and community; and

(iii) if the natural parent is absent, an evaluation of the petitioner's attempts to locate the absent natural parent.

(d) A court may not grant a decree of adoption under this section solely because a natural parent:

(1) does not have legal custody of the child by reason of divorce or legal separation; or

(2) has been deprived of custody of the child by the act of the other natural parent.