

199.540 Annulment of adoption -- Period after which adoption not subject to attack.

- (1) If a child adopted under KRS 199.470 to 199.520 reveals definite traits of ethnological ancestry different from those of the adoptive parents, and of which the adoptive parents had no knowledge or information prior to the adoption, a petition setting forth the facts may be filed by the original petitioner or the cabinet at any time within five (5) years after the adoption with the court which decreed the adoption. If upon hearing the facts set forth in the petition they are established, the court may enter a decree of annulment of the adoption and setting aside any or all rights or obligations which may have accrued by reason of the adoption.
- (2) After the expiration of one (1) year from the date of the entry of judgment of adoption, the validity thereof shall not be subject to attack in any action, collateral or direct, by reason of any irregularity or failure to comply with KRS 199.470 to 199.520, either procedurally or substantively.

Effective: July 15, 1994

History: Amended 1994 Ky. Acts ch. 242, sec. 9, effective July 15, 1994. -- Amended 1970 Ky. Acts ch. 92, sec. 66. -- Created 1950 Ky. Acts ch. 125, sec. 17.