HOUSE BILL No. 6052

September 19, 1990, Introduced by Reps. Jonker, DeMars, Harrison, Perry Bullard, Palamara, Kosteva, Emerson, Honigman, DeBeaussaert, Hickner and Gubow and referred to the Committee on Judiciary.

A bill to amend sections 27, 46, and 68 of chapter X of Act No. 288 of the Public Acts of 1939, entitled as amended

"An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act,"

sections 27 and 68 as amended by Act No. 175 of the Public Acts of 1990 and section 46 as amended by Act No. 72 of the Public

Acts of 1982, being sections 710.27, 710.46, and 710.68 of the Michigan Compiled Laws; and to add section 68b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Section 1. Sections 27, 46, and 68 of chapter X of Act
- 2 No. 288 of the Public Acts of 1939, sections 27 and 68 as amended
- 3 by Act No. 175 of the Public Acts of 1990 and section 46 as
- 4 amended by Act No. 72 of the Public Acts of 1982, being
- 5 sections 710.27, 710.46, and 710.68 of the Michigan Compiled
- 6 Laws, are amended and section 68b is added to read as follows:
- 7 CHAPTER X
- 8 Sec. 27. (1) Nonidentifying information shall be maintained
- 9 by a child placing agency, the department, or a court that places
- 10 an adoptee under this chapter. The following nonidentifying
- 11 information shall be maintained, if obtainable:
- 12 (a) Date, time, and place of birth of the adoptee including
- 13 the hospital, city, county, and state.
- 14 (B) GIVEN FIRST NAME OF THE ADOPTEE AT BIRTH.
- (C) -(b) Medical AND GENETIC history of the adoptee, -and-
- 16 biological -parents- FAMILY, AND ADOPTIVE PARENTS, BEFORE AND
- 17 AFTER ADOPTIVE PLACEMENT.
- (D) -(c) Ethnicity of the biological parents AND ADOPTIVE
- 19 PARENTS.
- 20 (E) -(d) Status of termination--voluntary or court
- 21 ordered.
- 22 (F) -(e) Religious background of biological parents AND
- 23 ADOPTIVE PARENTS.

- 1 (G) $\overline{\text{(f)}}$ Age and sex of siblings of the adoptee known at
- 2 the time of the adoption.
- 3 (H) -(g) Educational level of biological parents AND ADOP-
- 4 TIVE PARENTS.
- 5 (I) AGE OF BIOLOGICAL PARENTS AT THE TIME OF TERMINATION OF
- 6 PARENTAL RIGHTS.
- 7 (J) AGE OF ADOPTIVE PARENTS AT THE TIME OF ADOPTIVE
- 8 PLACEMENT.
- 9 (K) OCCUPATION OF BIOLOGICAL PARENTS AND ADOPTIVE PARENTS.
- 10 (1) MARITAL STATUS OF BIOLOGICAL PARENTS AND ADOPTIVE
- 11 PARENTS.
- 12 (M) LENGTH OF TIME THE BIOLOGICAL PARENTS AND ADOPTIVE PAR-
- 13 ENTS HAD BEEN MARRIED AT THE TIME OF ADOPTIVE PLACEMENT.
- 14 (N) AGE AND SEX OF CHILDREN OF THE ADOPTIVE PARENTS AT THE
- 15 TIME OF ADOPTIVE PLACEMENT.
- 16 (O) HOBBIES, SPECIAL INTERESTS, AND SCHOOL ACTIVITIES OF THE
- 17 BIOLOGICAL PARENTS AND ADOPTIVE PARENTS.
- 18 (P) LENGTH OF TIME THAT EXPIRED BETWEEN TERMINATION OF
- 19 PARENTAL RIGHTS AND ADOPTIVE PLACEMENT.
- 20 (Q) EXCEPT FOR A FOSTER PARENT WHO ADOPTED THE ADOPTEE,
- 21 NAMES AND ADDRESSES OF ALL FOSTER PARENTS OF THE ADOPTEE.
- 22 (R) NAMES AND ADDRESSES OF ALL INSTITUTIONS OR FACILITIES IN
- 23 WHICH THE ADOPTEE WAS PLACED BEFORE ADOPTIVE PLACEMENT.
- 24 (2) The information required by subsection (1) shall be sup-
- 25 plemented by other nonidentifying background information that the
- 26 child placing agency, department, or court considers
- 27 appropriate.

- 1 (3) The department, a child placing agency, or a court that
- 2 places an adoptee under this chapter shall maintain all of the
- 3 following identifying information if obtainable:
- 4 (a) Name ALL KNOWN NAMES of the child before AND AFTER 5 placement in adoption.
- 6 (b) -Names ALL KNOWN NAMES AND ADDRESSES of THE biological
- 7 parents. at the time of termination of parental rights.
- 8 (c) The most recent names and addresses of the biological
- 9 parents. DATE, TIME, PLACE OF BIRTH, AND NAME AT BIRTH OF THE
- 10 BIOLOGICAL SIBLINGS, INCLUDING THE HOSPITAL, CITY, COUNTY, AND
- 11 STATE.
- (d) Names of the biological siblings at the time of
- 13 termination.
- 14 (E) ALL KNOWN ADOPTIVE NAMES OF THE BIOLOGICAL SIBLINGS.
- 15 (4) The court shall inform each biological parent at the
- 16 time of termination of parental rights pursuant to this chapter
- 17 or chapter -12A- XIIA, that the biological parent may file a
- 18 denial of release of the identifying information specified in
- 19 subsection -(3) (3)(B) with the department at any time and that
- 20 the denial may be revoked at any time. The department shall
- 21 develop a form for biological parents to deny or revoke a denial
- 22 of release of identifying information and shall make the form
- 23 available to the court. EFFECTIVE JANUARY 1, 1992, THE FORM
- 24 SHALL INCLUDE A DESIGNATED SPACE FOR A BIOLOGICAL PARENT TO PRO-
- 25 VIDE A WRITTEN STATEMENT, IF HE OR SHE WISHES, WHY HE OR SHE
- 26 FILED A DENIAL OF RELEASE OF IDENTIFYING INFORMATION AND WISHES
- 27 NOT TO BE CONTACTED. The court shall inform both biological

- 1 parents, if known, of the provisions described in sections 68 and 2 68a.
- 3 (5) BEGINNING JANUARY 1, 1992, THE COURT SHALL INFORM EACH
- 4 BIOLOGICAL PARENT AT THE TIME OF TERMINATION OF PARENTAL RIGHTS
- 5 PURSUANT TO THIS CHAPTER OR CHAPTER XIIA THAT AFTER AN ADOPTEE
- 6 REACHES 18 YEARS OF AGE, THE IDENTIFYING INFORMATION SPECIFIED IN
- 7 SUBSECTION (3) SHALL BE PROVIDED, UPON REQUEST, TO THE ADULT
- 8 ADOPTEE, A BIOLOGICAL PARENT, AN ADULT BIOLOGICAL SIBLING, OR AN
- 9 ADOPTIVE PARENT PURSUANT TO SECTION 68 OF THIS CHAPTER.
- 10 (6) $\frac{(5)}{(5)}$ The department shall keep on file each statement
- 11 concerning a child believed to be adopted that is submitted by a
- 12 biological parent, or adult biological sibling consenting to or
- 13 denying release of identifying information, and shall transmit
- 14 that statement to the proper child placing agency, department, or
- 15 court upon request of the child placing agency, department, or
- 16 court. The A statement DENYING RELEASE OF IDENTIFYING
- 17 INFORMATION may be -rescinded- REVOKED at any time by the biolog-
- 18 ical parent or adult biological sibling. EFFECTIVE JANUARY 1,
- 19 1992, FOR ALL ADOPTIONS IN WHICH THE BIOLOGICAL PARENTS' RIGHTS
- 20 WERE TERMINATED BEFORE SEPTEMBER 12, 1980, A BIOLOGICAL PARENT
- 21 WHO DOES NOT HAVE ON FILE WITH THE DEPARTMENT A STATEMENT DENYING
- 22 RELEASE OF IDENTIFYING INFORMATION SHALL BE CONSIDERED TO HAVE ON
- 23 FILE WITH THE DEPARTMENT A STATEMENT CONSENTING TO RELEASE OF
- 24 IDENTIFYING INFORMATION. A statement made by a biological parent
- 25 or adult biological sibling consenting to the release of identi-
- 26 fying information shall include the current name and address of
- 27 the biological parent or adult biological sibling. Once a

- 1 request for information from the file has been received by the
- 2 department, a subsequent statement submitted by a biological
- 3 parent or adult biological sibling consenting to the release of
- 4 identifying information or revoking a previous denial to release
- 5 of identifying information, shall be transmitted to the request-
- 6 ing child placing agency, department, or court upon receipt.
- 7 (7) $\frac{(6)}{(6)}$ If a child placing agency ceases to operate, the
- 8 agency's adoption records shall be forwarded to the department.
- 9 A branch or associate agency of a child placing agency which
- 10 ceases to operate shall forward its records to the central agency
- 11 of the branch or associate agency.
- 12 (8) $\frac{(7)}{(7)}$ This section also applies to a stepparent adoption
- 13 and to the adoption of a child related to the petitioner within
- 14 the fifth degree by marriage, blood, or adoption.
- 15 (9) $\frac{(8)}{(8)}$ The information required by subsections (1)
- 16 through (3) shall be maintained by the child placing agency,
- 17 department, or court. An employee or agent of a child placing
- 18 agency, the court, or the department, who intentionally destroys
- 19 information required to be maintained under this section, is
- 20 guilty of a misdemeanor.
- 21 Sec. 46. (1) In an adoption proceeding, the court shall
- 22 direct a full investigation by an employee or agent of the court,
- 23 a child placing agency, or the department. The following shall
- 24 be considered in the investigation AND INCLUDED IN THE WRITTEN
- 25 REPORT OF THE INVESTIGATION:
- 26 (a) The best interests of the adoptee.

- 1 (b) The adoptee's family background, including names and
- 2 identifying data regarding the parent or parents, if obtainable.
- 3 (B) -(c) The reasons for the adoptee's placement away from
- 4 his or her parent or parents.
- 5 (C) THE IDENTIFYING AND NONIDENTIFYING INFORMATION DESCRIBED
- 6 IN SECTION 27 OF THIS CHAPTER, IF OBTAINABLE.
- 7 (2) A written report of the investigation shall be filed
- 8 within 3 months of the order for investigation.
- 9 (3) A WRITTEN REPORT OF INVESTIGATION PREPARED PURSUANT TO
- 10 THIS SECTION SHALL BE MADE PART OF THE COURT RECORD, AND SHALL BE
- 11 MAINTAINED BY BOTH OF THE FOLLOWING:
- 12 (A) THE COURT THAT ENTERS THE ORDER OF ADOPTION.
- 13 (B) A COURT, A CHILD PLACING AGENCY, OR THE DEPARTMENT THAT
- 14 PLACES AN ADOPTEE UNDER THIS CHAPTER.
- 15 Sec. 68. (1) All of the nonidentifying information required
- 16 by section 27(1) and (2) of this chapter shall be made available
- 17 in writing to the adoptive parents at the time of placement and
- 18 thereafter within 63 days after receipt of a request for informa-
- 19 tion, and shall be made available in writing to an adult adoptee
- 20 within 63 days after receipt of a request for information.
- 21 (2) Within 63 days after a request for information is
- 22 received, a child placing agency, court, or the department shall
- 23 provide in writing to the biological parent or adult biological
- 24 sibling requesting the information all of the nonidentifying
- 25 information described in section 27(1) and (2) of this chapter.
- 26 (3) Within EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (9),
- 27 WITHIN 63 days after a request for identifying information is

- 1 received, a child placing agency, court, or the department shall
- 2 provide in writing to the biological parent or adult biological
- 3 sibling requesting the information the adult adoptee's most
- 4 recent name and address and the identifying information described
- 5 in section 27(3) of this chapter if the adult adoptee has given
- 6 written consent to release of the information pursuant to this
- 7 chapter.
- 8 (4) If the department or a child placing agency receives a
- 9 request for adoption record information in their possession from
- 10 an adult adoptee, biological parent, or adult biological sibling,
- 11 the department or child placing agency shall provide the person
- 12 requesting the information with the identity of the court that
- 13 confirmed the adoption within 28 days after receipt of the
- 14 request. If a court receives such a request, the court shall
- 15 provide the person requesting the information with the identity
- 16 of the child placing agency that handled the adoption.
- 17 (5) If the court that terminated parental rights receives
- 18 from the biological parents or adult biological siblings of the
- 19 adult adoptee a request for the identity of the agency, court, or
- 20 department to which the child was committed, the court shall pro-
- 21 vide in writing the name of that agency, court, or department, if
- 22 known, within 28 days after receipt of the request.
- 23 (6) -For- UNTIL JANUARY 1, 1992, FOR adoptions in which the
- 24 biological parents' rights were terminated before September 12,
- 25 1980, a child placing agency, a court, or the department having
- 26 the records of an adoptee and having received a written request
- 27 from that adoptee as an adult for information identifying the

- 1 adoptee's biological parents, shall release the identifying
- 2 information described in section 27(3) of this chapter and other
- 3 identifying information on file with the department as specified
- 4 in section $\frac{-27(5)}{}$ 27(6) of this chapter, in the following
- 5 manner:
- 6 (a) All information on both biological parents shall be
- 7 released to the adult adoptee, if both biological parents have on
- 8 file with the department a statement consenting to release of
- 9 identifying information.
- (b) Information pertaining to 1 of the biological parents
- 11 shall be released to the adult adoptee if that biological parent
- 12 has on file with the department a statement consenting to release
- 13 of identifying information.
- (c) Information pertaining to 1 of the biological parents
- 15 shall be released to the adult adoptee if that parent is
- 16 deceased, or if a child of that parent who is now an adult and
- 17 who is a sibling of the adoptee has on file with the department a
- 18 consent to the release of identifying information of that
- 19 deceased parent.
- 20 (d) All information on both biological parents shall be
- 21 released to the adult adoptee, if both biological parents are
- 22 deceased.
- 23 (7) BEGINNING JANUARY 1, 1992, FOR ALL ADOPTIONS IN WHICH
- 24 THE BIOLOGICAL PARENTS' RIGHTS WERE TERMINATED BEFORE
- 25 SEPTEMBER 12, 1980, AN ADULT ADOPTEE SHALL HAVE THE RIGHT TO
- 26 OBTAIN IDENTIFYING INFORMATION DESCRIBED IN SECTION 27(3) OF THIS
- 27 CHAPTER AND ANY ADDITIONAL INFORMATION ON FILE WITH THE

- 1 DEPARTMENT AS SPECIFIED IN SECTION 27(6) OF THIS CHAPTER, EXCEPT
- 2 THAT IF A BIOLOGICAL PARENT HAS FILED A STATEMENT CURRENTLY IN
- 3 EFFECT WITH THE DEPARTMENT DENYING CONSENT TO HAVE IDENTIFYING
- 4 INFORMATION RELEASED, IDENTIFYING INFORMATION SHALL NOT BE
- 5 RELEASED ABOUT THAT PARENT. THE INFORMATION SHALL BE PROVIDED
- 6 WITHIN 63 DAYS AFTER THE DATE OF THE REQUEST.
- 7 (8) -(7) For all adoptions in which the biological parents'
- 8 rights were terminated ON OR after September 12, 1980, an ADULT
- 9 adoptee -not less than 18 years of age shall have the right to
- 10 obtain the identifying information described in section 27(3) of
- 11 this chapter and any additional information on file with the
- 12 department as specified in section $\frac{-27(5)}{}$ 27(6) of this chapter,
- 13 except that if a biological parent has filed a statement cur-
- 14 rently in effect with the department denying consent to have
- 15 identifying information released, identifying information shall
- 16 not be released about that parent. The information shall be pro-
- 17 vided within 63 days after the date of the request.
- 18 (9) FOR ALL ADOPTIONS IN WHICH THE BIOLOGICAL PARENTS'
- 19 RIGHTS ARE TERMINATED ON OR AFTER JANUARY 1, 1992, EXCEPT AS OTH-
- 20 ERWISE PROVIDED IN THIS SUBSECTION, AFTER AN ADOPTEE REACHES 18
- 21 YEARS OF AGE, A BIOLOGICAL PARENT, AN ADULT BIOLOGICAL SIBLING,
- 22 OR AN ADOPTIVE PARENT SHALL HAVE THE RIGHT TO OBTAIN IDENTIFYING
- 23 INFORMATION DESCRIBED IN SECTION 27(3) OF THIS CHAPTER AND ANY
- 24 ADDITIONAL INFORMATION ON FILE WITH THE DEPARTMENT AS SPECIFIED
- 25 IN SECTION 27(6) OF THIS CHAPTER PERTAINING TO AN ADULT ADOPTEE,
- 26 BIOLOGICAL PARENT, ADULT BIOLOGICAL SIBLING, OR ADOPTIVE PARENT,
- 27 EXCEPT THAT IF AN ADULT ADOPTEE, BIOLOGICAL PARENT, ADULT

- 1 BIOLOGICAL SIBLING, OR ADOPTIVE PARENT HAS FILED A STATEMENT
- 2 CURRENTLY IN EFFECT WITH THE COURT, A CHILD PLACING AGENCY, OR
- 3 THE DEPARTMENT, WHICH MAINTAINS THE ADOPTION FILE, DENYING CON-
- 4 SENT TO HAVE IDENTIFYING INFORMATION RELEASED, IDENTIFYING INFOR-
- 5 MATION SHALL NOT BE RELEASED ABOUT THAT ADULT ADOPTEE, BIOLOGICAL
- 6 PARENT, ADULT BIOLOGICAL SIBLING, OR ADOPTIVE PARENT. HOWEVER,
- 7 IF A BIOLOGICAL PARENT'S RIGHTS TO THE ADOPTEE WERE TERMINATED
- 8 PURSUANT TO SECTION 2(B) OF CHAPTER XIIA OF ACT NO. 288 OF THE
- 9 PUBLIC ACTS OF 1939, BEING SECTION 712A.2 OF THE MICHIGAN
- 10 COMPILED LAWS, IDENTIFYING INFORMATION SHALL NOT BE RELEASED TO
- 11 THAT BIOLOGICAL PARENT PURSUANT TO THIS SUBSECTION. THE INFORMA-
- 12 TION SHALL BE PROVIDED WITHIN 63 DAYS AFTER THE DATE OF THE
- 13 REQUEST.
- 14 (10) -(8) Upon receipt of a written request for identifying
- 15 information from an adult adoptee, a child placing agency, court,
- 16 or the department, if it maintains that adoption file, shall
- 17 request information from the department file as specified in sec-
- 18 tion $\frac{-27(5)}{}$ 27(6) of this chapter, pursuant to the requirements
- 19 of this section. Upon receipt of a response from the department
- 20 file, a child placing agency, court, or the department shall
- 21 notify the adoptee in writing, within 28 days after the receipt
- 22 of the response, of the identifying information to which the
- 23 adoptee is entitled, or, if the identifying information cannot be
- 24 released pursuant to this section, the reason why the information
- 25 cannot be released. THE COURT, A CHILD PLACING AGENCY, OR THE
- 26 DEPARTMENT SHALL PROVIDE TO THE ADOPTEE A WRITTEN VERBATIM
- 27 TRANSCRIPTION OF ANY WRITTEN STATEMENT THAT THE ADULT ADOPTEE'S

- 1 BIOLOGICAL PARENT INCLUDED ON A DENIAL OF RELEASE OF IDENTIFYING
- 2 INFORMATION INDICATING WHY HE OR SHE FILED THE DENIAL OF IDENTI-
- 3 FYING INFORMATION AND WISHES NOT TO BE CONTACTED. The child plac-
- 4 ing agency, court, or the department shall retain a copy of the
- 5 notice sent to the adult adoptee. Once the identifying informa-
- 6 tion is released to the adult adoptee, and upon the request of
- 7 the adult adoptee, biological parent, adult biological sibling,
- 8 or adoptive parent, the child placing agency, court, or the
- 9 department shall provide for counseling or shall provide a list
- 10 of adoption support groups to that person.
- 11 (11) IF A CHILD PLACING AGENCY, THE COURT, OR THE DEPARTMENT
- 12 REQUESTS INFORMATION FROM THE DEPARTMENT FILE AS SPECIFIED IN
- 13 SECTION 27(6) OF THIS CHAPTER PURSUANT TO SUBSECTION (10), AND IF
- 14 THE WRITTEN RESPONSE FROM THE DEPARTMENT FILE INDICATES THAT BOTH
- 15 OF THE BIOLOGICAL PARENTS DO NOT HAVE ON FILE WITH THE DEPARTMENT
- 16 A STATEMENT CURRENTLY IN EFFECT DENYING CONSENT TO HAVE IDENTIFY-
- 17 ING INFORMATION RELEASED, THE CHILD PLACING AGENCY, THE COURT, OR
- 18 THE DEPARTMENT SHALL DELIVER TO THE ADULT ADOPTEE A COPY OF THE
- 19 WRITTEN RESPONSE IT RECEIVED FROM THE DEPARTMENT FILE.
- 20 (12) $\frac{(9)}{}$ If a child placing agency, court, or the depart-
- 21 ment receives written information concerning a physician-verified
- 22 medical or genetic condition of a person biologically related to
- 23 an adoptee and a request that the information be transmitted to
- 24 the adoptee because of the serious threat it poses to the
- 25 adoptee's life, the child placing agency, court, or department
- 26 shall send a written copy of the information by first-class mail
- 27 within 7 days after the request is received to the adoptee at his

- 1 or her last known address. If the adoptee is less than 18 years
- 2 of age, the information shall be sent by first-class mail within
- 3 7 days after the request is received to the adoptive parents at
- 4 their last known address.
- 5 (13) -(10)— If the letter described in subsection -(9)— (12)
- 6 is returned undelivered, the agency, court, or department shall
- 7 make a reasonable effort to find the most recent address of the
- 8 adoptee or minor adoptee's parents and shall again send the
- 9 information by first-class mail within 21 days after receiving
- 10 the returned letter.
- 11 (14) -(++)- If a child placing agency, court, or the depart-
- 12 ment receives written information concerning a physician-verified
- 13 medical or genetic condition of a person biologically related to
- 14 an adoptee, and the condition is not life-threatening to the
- 15 adoptee, the child placing agency, court, or department shall
- 16 place the information in its adoption files. If the child plac-
- 17 ing agency, court, or department receives a written request for
- 18 the information from the adult adoptee or minor adoptee's adop-
- 19 tive parents, it shall release a written copy of the information
- 20 to the adult adoptee or to the minor adoptee's adoptive parents
- 21 within 63 days after the request for the information was made.
- 22 (15) -(12)- If a child placing agency, court, or the depart-
- 23 ment receives written information concerning a physician-verified
- 24 medical or genetic condition that threatens the life of an
- 25 adoptee and for which a biologically related person could give
- 26 life-saving aid, and receives a request from or on behalf of the
- 27 adoptee that the information be transmitted, the child placing

- 1 agency, court, or department shall send a written copy of the
- 2 information by first-class mail within 7 days after the request
- 3 is received to the biological parents or adult biological sib-
- 4 lings of the adoptee at their last known address.
- 5 (16) $\frac{(13)}{(13)}$ If the information described in subsection
- 6 -(12) (15) is returned undelivered, the agency, court, or
- 7 department shall make a reasonable effort to find the most recent
- 8 address of the biological parents or adult biological siblings
- 9 and shall again send the information by first-class mail within
- 10 21 days after receiving the returned letter.
- 11 (17) -(14) If a child placing agency, court, or the depart-
- 12 ment provides an adoptee with the name of either of the adoptee's
- 13 biological parents, that child placing agency, court, or depart-
- 14 ment shall notify the department of public health of that fact.
- 15 Upon receipt of notification by the child placing agency, court,
- 16 or department, the department of public health shall insure that
- 17 the original birth certificate on file for the adoptee has been
- 18 sealed and that a new birth certificate has been prepared in con-
- 19 formance with section 67 of this chapter.
- 20 (18) -(15) An employee or agent of a child placing agency,
- 21 the court, or the department, who intentionally releases identi-
- 22 fying information in violation of this section, is quilty of a
- 23 misdemeanor.
- 24 (19) -(16) This section also applies to a stepparent adop-
- 25 tion and to the adoption of a child related to the petitioner
- 26 within the fifth degree by marriage, blood, or adoption.

- 1 (20) -(17) As used in this section, "adult adoptee" means a 2 person who was adopted as a child who is now 18 years of age or 3 older or a person who was 18 years of age or older at the time of 4 adoption.
- 5 (21) -(18) A child placing agency, a court, and the depart6 ment may require a fee of \$60.00 or the actual cost of supplying
 7 the information, whichever is less, for supplying information
 8 under this section. The child placing agency, the court, and the
 9 department may waive a part or all of the fee in case of indi-
- 10 gency or hardship.

 11 SEC. 68B. BETWEEN THE EFFECTIVE DATE OF THIS SECTION AND

 12 JANUARY 1, 1992, THE DEPARTMENT IN COOPERATION WITH CHILD PLACING

 13 AGENCIES, THE COURT, AND THE LEGISLATURE SHALL DEVELOP AND CARRY

 14 OUT A COMPREHENSIVE STATEWIDE PUBLICITY PROGRAM TO EXPLAIN THE

 15 PROVISIONS DESCRIBED IN SECTIONS 27 AND 68 OF THIS CHAPTER

 16 REGARDING THE RELEASE OF IDENTIFYING INFORMATION TO THE ADOPTION

 17 COMMUNITY. AS USED IN THIS SECTION, "ADOPTION COMMUNITY"

 18 INCLUDES, BUT IS NOT LIMITED TO, ADOPTEES, BIOLOGICAL PARENTS,

 19 BIOLOGICAL SIBLINGS, ADOPTIVE PARENTS, AND PROSPECTIVE ADOPTIVE

 20 PARENTS.

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