

2nd Sub. H.B. 256

ADOPTION RECORDS ACCESS AMENDMENTS

Representative **Jim Nielson** proposes the following amendments:

1. *Page 5, Lines 121 through 125:*

121 has demonstrated a direct, tangible, and legitimate interest.
122 (3) (a) For purposes of this Subsection (3), "adoption documents" is as defined in
123 Section 78B-6-103.
124 (b) Only the Office of Vital Records and Statistics or a {Utah district} court may issue
125 adoption documents.

2. *Page 8, Lines 215 through 219:*

215 any other person with respect to the child.
216 (3) "Adoption documents" means adoption-related documents filed with a {Utah district}
217 court or with the office, including a petition for adoption, the written report described in
218 Section 78B-6-135, any other documents filed in connection with the petition, and a decree of
219 adoption.

3. *Page 14, Line 405 through Page 15, Line 432:*

405 (3) (a) Except as provided in Subsection (3)(b), for an adoption finalized on or after
406 January 1, 2015, the office shall make the adoption documents available for inspection and
407 copying to a party to the adoption proceeding if the party who requests the documents:
408 (i) is an adult at the time of the request; and
409 (ii) makes the request on a form designated by the office.
410 (b) Subject to {Subsections} Subsection (3)(d) ~~{and (e)}~~, for an adoption finalized on or
411 after January
412 1, 2015, a birth mother may, at or after the time of finalization, file a written document with the
413 office stating that she refuses to permit identifying information about the birth mother to be
414 made available for inspection or copying.
415 (c) Subject to {Subsections} Subsection (3)(d) ~~{and (e)}~~, if a birth mother elects, under
416 Subsection
417 (3)(b), to refuse to permit identifying information about the birth mother to be made available
418 for inspection or copying, the office shall, before providing copies of the adoption documents
419 to an individual other than the birth mother, redact all identifying information about the birth
420 mother.
421 (d) ~~{Subject to Subsection (3)(e)}~~ ~~{a}~~ A birth mother may, at any time, file a written

420 document with the office to:

421 (i) change the election described in Subsection (3)(b); or

422 (ii) elect to make other information about herself, including an updated medical

423 history, available for inspection and copying by a party to the adoption proceeding if the party

424 who requests the information is an adult at the time of the request.

425 { (e) (i) If the birth mother is a minor at the time of finalization, only the birth mother's
426 parent or legal guardian may consent to and sign the birth mother's written refusal under
427 Subsection (3)(b):

428 —— (ii) If the birth mother is a minor at the time she decides to change the election or make
429 other information about herself available under Subsection (3)(d), only the birth mother's
430 parent or legal guardian may consent to and sign the birth mother's written election under
431 Subsection (3)(d). }

432 [(2) The] (4) Except as otherwise provided in this section, the adoption documents