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BILL ANALYSIS



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House Bill 5096 (as discharged)  
Sponsor: Representative Amanda Price  
House Committee: Families, Children, and Seniors  
Senate Committee: Families, Seniors and Human Services

### **CONTENT**

The bill would amend the Michigan Adoption Code to prohibit the release of identifying information about an adult adoptee's former parent if that parent had surrendered the adoptee as a baby under the Safe Delivery of Newborns Law, unless the former parent had consented to the release of information.

Under the Adoption Code, a child placing agency, a court, or the Department of Human Services (DHS) generally must release to an adult adoptee identifying information about former parents and former siblings and any additional information on file with the Central Adoption Registry. If a former parent has filed with the Registry a statement denying consent to have identifying information released, however, the name and most recent address of each biological parent may not be released. Under the bill, these provisions would not apply to adoptions in which the former parent's rights were terminated under the Safe Delivery of Newborns Law (which allows a parent to surrender a newborn to an emergency service provider), unless the former parent had filed with the Registry a statement consenting to the release of identifying information.

In addition, under the Adoption Code, if a child placing agency, a court, or the DHS requests information from the Central Adoption Registry and if the clearance reply form from the Registry indicates that neither of the former parents has on file a statement denying consent to release identifying information, the agency, court, or Department must give the adult adoptee a copy of the clearance reply form. The adult adoptee may use the form to obtain a copy of his or her original birth certificate. Under the bill, these provisions would not apply to adoptions in which the former parents' parental rights were terminated under the Safe Delivery of Newborns Law.

MCL 710.27a & 710.68

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

The bill would have a negligible fiscal impact on State and local government. According to the DHS Safe Delivery Fact Sheet, few newborns are surrendered to an emergency service provider under the Safe Delivery of Newborns Law each year. From the time that the legislation was enacted in 2001 to 2012, the average number of newborns who were surrendered each year is approximately 10, ranging from one infant in 2002 to 19 infants in 2009.

Date Completed: 12-11-12

Fiscal Analyst: Frances Carley