

# HOUSE BILL No. 4864

August 16, 2017, Introduced by Rep. Kosowski and referred to the Committee on Families, Children, and Seniors.

A bill to amend 1939 PA 288, entitled  
"Probate code of 1939,"  
(MCL 710.21 to 712B.41) by adding section 19d to chapter XIIA.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

### CHAPTER XIIA

SEC. 19D. IF AN INDIVIDUAL CAN VERIFY, USING HISTORICAL  
EVIDENCE, THAT THE INDIVIDUAL'S PARENT HAD HIS OR HER PARENTAL  
RIGHTS TERMINATED AS A RESULT OF THE COURT HAVING JURISDICTION OF  
THE CHILD UNDER SECTION 2(B) OF THIS CHAPTER OR THAT THE PARENT  
VOLUNTARILY TERMINATED OR RELINQUISHED HIS OR HER PARENTAL RIGHTS  
AS PART OF A PLEA AGREEMENT RESULTING FROM AN INVESTIGATION  
REGARDING PARENTAL RIGHTS TERMINATION AS A RESULT OF THE COURT  
HAVING JURISDICTION OF THE CHILD UNDER SECTION 2(B) OF THIS  
CHAPTER, THE COURT SHALL ENTER AN ORDER ALLOWING THE INDIVIDUAL

1 ACCESS TO RECORDS RELATING TO THE INVESTIGATION OF PARENTAL RIGHTS  
2 TERMINATION CONDUCTED BY THE DEPARTMENT FOR THE COURT AND TO THE  
3 INDIVIDUAL'S BIRTH RECORDS. ACCESS TO RECORDS DESCRIBED IN THIS  
4 SECTION SHALL BE ALLOWED EVEN IF THE INDIVIDUAL HAS BEEN ADOPTED IF  
5 THE INDIVIDUAL CAN VERIFY THE PARENT-CHILD RELATIONSHIP. HISTORICAL  
6 EVIDENCE INCLUDES, BUT IS NOT LIMITED TO, A DEATH CERTIFICATE, A  
7 BIRTH CERTIFICATE OR OTHER BIRTH RECORDS, ANY OTHER PUBLIC RECORD  
8 THAT SHOWS THE PARENT-CHILD RELATIONSHIP BETWEEN THE INDIVIDUAL  
9 SEEKING THE RECORDS AND THE PARENT WHOSE PARENTAL RIGHTS WERE  
10 TERMINATED, AND ANY OTHER EVIDENCE NORMALLY ADMISSIBLE UNDER COURT  
11 RULES.

12 Enacting section 1. This amendatory act takes effect 90 days  
13 after the date it is enacted into law.

14 Enacting section 2. This amendatory act does not take effect  
15 unless Senate Bill No. \_\_\_\_\_ or House Bill No. 4865 (request no.  
16 03002'17) of the 99th Legislature is enacted into law.