

Original sponsors: Rodey, Stimson,  
and Sturgulewski

Offered: 5/26/81  
Referred: Judiciary

1 IN THE SENATE

BY THE HEALTH, EDUCATION, AND  
SOCIAL SERVICES COMMITTEE

2 CS FOR SENATE BILL NO. 399 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to adoption; and providing for an  
7 effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 18.50.220(b)(1) is amended to read:

10 (1) thereafter, the original certificate and the evidence of  
11 adoption or legitimation are not subject to inspection except upon  
12 order of the superior court; however, the state registrar [OR AS PRO-  
13 VIDED BY REGULATION; HOWEVER, THE REGULATION] shall allow inspection by  
14 an agent of the state or federal government acting in the performance  
15 of his official duties;

16 \* Sec. 2. AS 18.50 is amended by adding new sections to read:

17 ARTICLE 6. ACCESS TO ADOPTION INFORMATION.

18 Sec. 18.50.500. ACCESS TO ADOPTION INFORMATION. (a) If a bio-  
19 logical parent named on the original certificate of birth for a birth  
20 occurring before January 1, 1982, has not filed with the state registrar  
21 a statement that the information on the original certificate of birth  
22 may be disclosed, the state registrar may not disclose the information  
23 on that biological parent to an adopted person.

24 (b) The court may not order the state registrar to disclose  
25 information identifying the biological parents of an adopted person who  
26 is 18 years of age or older unless the biological parent has filed a  
27 statement that the information on the original certificate of birth may  
28 be disclosed.

29 (c) The state registrar shall provide the adoptive parents of a

1 person adopted after January 1, 1982, and an adopted person who is 18  
2 years of age or older after January 1, 1982, the following information  
3 on a standard form prepared by the commissioner regarding each biolog-  
4 ical parent named on the original certificate of birth if the informa-  
5 tion is available:

6 (1) the race of the biological parent;

7 (2) general physical characteristics of the biological  
8 parent in terms of height, weight, color of hair, eyes, skin, and other  
9 information of a similar nature;

10 (3) the health history of the biological parent and of blood  
11 relatives of the biological parent.

12 Sec. 18.50.510. MAINTENANCE OF RECORDS. (a) The commissioner, a  
13 child adoption agency, and a person authorized by law or regulation to  
14 place a person for adoption shall furnish the state registrar the  
15 information concerning biological parents required under AS 18.50.500(c)  
16 for all adoptions which occur after January 1, 1982. If the informa-  
17 tion concerning biological parents required under AS 18.50.500(c) is  
18 requested but is not available for adoptions that occurred before  
19 January 1, 1982, the state registrar shall request the commissioner to  
20 attempt to obtain the required information from the child adoption  
21 agency, records of the commissioner, or court adoption records, or a  
22 person authorized by law or regulation to place a person for adoption.

23 (b) A child adoption agency licensed under AS 47.35.100 and a  
24 person authorized by law or regulation to place a person for adoption  
25 shall maintain records required under AS 18.50.500(c) and by the regula-  
26 tions of the commissioner. If a child adoption agency or a person  
27 authorized by law or regulation to place a person for adoption ceases  
28 to place persons for adoption, it shall transfer its records to the  
29 commissioner.

1           Sec. 18.50.520. DEFINITIONS. In AS 18.50.500 - 18.50.520

2           (1) "adoptive parent" means a parent who adopted a person  
3 under AS 20.15;

4           (2) "biological parent" means a birth parent who is named on  
5 the original certificate of birth of an adopted person;

6           (3) "child adoption agency" means a child adoption agency  
7 licensed under AS 47.35.100;

8           (4) "commissioner" means the commissioner of health and  
9 social services;

10           (5) "state registrar" means the state registrar appointed  
11 under AS 18.50.030.

12 \* Sec. 3. AS 20.15.060(a) is amended to read:

13           (a) The required consent to adoption shall be executed at any  
14 time after the birth of the child in the presence of the court or in  
15 the presence of a person authorized to take acknowledgements. The  
16 consent is not valid unless

17                   (1) the consent form states that the person required to  
18 consent to adoption under AS 20.15.040 has the right to withdraw that  
19 consent as provided in AS 20.15.070(b); and

20                   (2) the person signing the consent is provided with a copy  
21 of the consent.

22 \* Sec. 4. AS 20.15.150(b) is repealed and reenacted to read:

23           (b) The papers and records pertaining to the adoption that are a  
24 part of the permanent record of the court are subject to inspection  
25 only upon consent of the court. The papers or records in a file in the  
26 department or in an agency are subject to inspection only upon consent  
27 of all interested persons or on an order of the court for good cause  
28 shown. The records of the bureau of vital statistics established under  
29 AS 18.50 are subject to inspection under the provisions of AS 18.50.

1 \* Sec. 5. AS 20.15 is amended by adding a new section to read:

2 Sec. 20.15.175. RECORDS OF BIRTH INFORMATION. (a) The clerk of  
3 the superior court, the department, or the agency placing a child for  
4 adoption shall seek to obtain from the natural parents of the adopted  
5 person for the state registrar

6 (1) the information listed in AS 18.50.500(c) on a form  
7 prepared by the department; and

8 (2) a statement as to whether the adopted person may have  
9 access to information on the original certificate of birth when the  
10 person is 18 years of age or older.

11 (b) The statement and the information provided by a natural  
12 parent under (a)(1) of this section shall be attached to the birth  
13 certificate of the adopted person.

14 \* Sec. 6. This Act takes effect January 1, 1982.