

Introduced: 2/22/85  
Referred: Health, Education & Social Services  
Judiciary

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STURGULEWSKI AND KERTTULA

1 IN THE SENATE

2 SENATE BILL NO. 187

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH 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 (b) When a new certificate of birth is established, the actual  
11 place and date of birth shall be shown. The new certificate shall be  
12 substituted for the original certificate of birth, and

13 (1) thereafter, the original certificate and the evidence  
14 of adoption or legitimation are not subject to inspection except upon  
15 order of the superior court; however, the state registrar [OR AS  
16 PROVIDED BY REGULATION; HOWEVER, THE REGULATION] shall allow inspec-  
17 tion by an agent of the state or federal government acting in the  
18 performance of the agent's [HIS] official duties;

19 (2) upon receipt of a report that an adoption has been  
20 vacated, the original certificate of birth shall be restored to its  
21 place in the files and the new certificate and evidence are not sub-  
22 ject to inspection except upon order of a superior court.

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

24 ARTICLE 6. ACCESS TO ADOPTION INFORMATION.

25 Sec. 18.50.500. ACCESS TO ADOPTION INFORMATION. (a) Upon  
26 receipt by the state registrar of a request by an adopted person 18  
27 years of age or older for the identity of a biological parent of the  
28 adopted person, the state registrar shall give notice of the request  
29 to the biological parent by certified mail, deliverable to the

1 addressee only. The state registrar shall disclose the name and  
2 address of the biological parent as it appears on the original certifi-  
3 cate of birth of the adopted person if a written objection by the  
4 biological parent is not received by the state registrar within 90  
5 days after the date notice was mailed. If written objection is re-  
6 ceived from the biological parent within the 90 days, the state regis-  
7 trar may not disclose the name and address of that biological parent  
8 to the person who requested it unless disclosure is ordered by the  
9 court under AS 25.23.150.

10 (b) The state registrar shall, at the request of a biological  
11 parent of an adopted child, attach the parent's current name and  
12 address to the original certificate of birth of the adopted child.  
13 The name and address shall be released to the adopted person in accor-  
14 dance with (a) of this section.

15 (c) The state registrar shall, at the request of an adopted  
16 person over 18 years of age, attach the person's name and address to  
17 the person's original certificate of birth for release to the person's  
18 biological parent on that parent's request.

19 Sec. 18.50.510. DESCRIPTIVE INFORMATION REGARDING BIOLOGICAL  
20 PARENTS. (a) The state registrar shall, at the request of an adop-  
21 tive parent of a person adopted on or after January 1, 1986, or of an  
22 adopted person 18 years of age or older, release the following infor-  
23 mation regarding a biological parent named on the original birth  
24 certificate of the adopted person when available from the registrar's  
25 records:

26 (1) the age of a biological parent on the birth date of the  
27 adopted person;

28 (2) the heritage of a biological parent, to include:

29 (A) national origin;

- 1 (B) ethnic background; and  
2 (C) tribal membership;  
3 (3) the health history of a biological parent and of blood  
4 relatives of a biological parent;  
5 (4) the number of years of school completed by a biological  
6 parent by the birth date of the adopted person;  
7 (5) a physical description of a biological parent on the  
8 birth date of the adopted person including height, weight, and color  
9 of hair, eyes and skin;  
10 (6) the existence of other children of a biological parent;  
11 (7) whether a biological parent was alive at the time of  
12 adoption;  
13 (8) the religion of a biological parent.

14 (b) Information released under (a) of this section shall be on a  
15 standard form prepared by the commissioner. The information may not  
16 include the name of a biological parent or other information not  
17 listed in (a) of this section.

18 Sec. 18.50.520. ASSISTANCE TO REGISTRAR IN OBTAINING INFORMA-  
19 TION. At the request of the state registrar the commissioner shall  
20 attempt to obtain information listed under AS 18.50.510 relating to  
21 the biological parents of an adopted person regardless of the date of  
22 the person's adoption. The disclosure of information requested by the  
23 commissioner under this section is not prohibited under AS 25.23.-  
24 150(c).

25 Sec. 18.50.530. DEFINITIONS. In AS 18.50.500 - 18.50.530

26 (1) "adoptive parent" means a person who has adopted another  
27 person under AS 25.23;

28 (2) "biological parent" means a parent named on the origi-  
29 nal certificate of birth of an adopted person;

1 (3) "child adoption agency" means a child adoption agency  
2 licensed under AS 47.35.100;

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

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

7 \* Sec. 3. AS 25.23.060(a) is amended to read:

8 (a) The required consent to adoption shall be executed at any  
9 time after the birth of the child in the presence of the court or in  
10 the presence of a person authorized to take acknowledgments. The  
11 consent is not valid unless

12 (1) the consent form states that the person required to  
13 consent to the adoption under AS 25.23.040 has the right to withdraw  
14 that consent as provided in AS 25.23.070(b); and

15 (2) the person who signs the consent form acknowledges  
16 receipt of a copy.

17 \* Sec. 4. AS 25.23.080(c) is amended to read:

18 (c) A certified copy of the birth certificate or verification of  
19 the birth record of the person to be adopted, if available, the infor-  
20 mation specified in AS 25.23.185(a), if available, and the required  
21 consents, relinquishments, and termination orders shall be filed with  
22 the clerk.

23 \* Sec. 5. AS 25.23.150(b) is repealed and reenacted to read:

24 (b) The papers and records relating to an adoption that are a  
25 part of the permanent record of a court are subject to inspection only  
26 upon consent of the court. The papers and records relating to an  
27 adoption on file with the department, an agency, or an individual are  
28 subject to inspection only with consent of all interested persons or  
29 by order of a court for good cause shown. Except as provided in this

1 section, adoption records of the Bureau of Vital Statistics are sub-  
2 ject to inspection under the provisions of AS 18.50.

3 \* Sec. 6. AS 25.23.150(c) is amended to read:

4 (c) Except as otherwise provided by law, or as authorized in  
5 writing by the adopted child, if 14 or more years of age, or by the  
6 adoptive parent, or upon order of the court for good cause shown [IN  
7 EXCEPTIONAL CASES], a [NO] person may not [IS REQUIRED TO] disclose  
8 the name or identity of either an adoptive parent or an adopted child

9 \* Sec. 7. AS 25.23 is amended by adding a new section to read:

10 Sec. 25.23.185. RECORDS AND INFORMATION. (a) At the time a  
11 petition for adoption is filed with the court the agency or individual  
12 placing the person for adoption or, if none, a petitioner shall file  
13 with the court for release to the state registrar only the following  
14 information, or an explanation of its unavailability, on separate  
15 forms provided by the department:

16 (1) the address of each biological parent named on the  
17 original birth certificate;

18 (2) background information required under AS 18.50.510; and

19 (3) a statement signed by each biological parent named on  
20 the original birth certificate acknowledging receipt of a copy of  
21 AS 18.50.500 - 18.50.510 and an understanding of those provisions.

22 (b) The statement and the information provided under (a) of this  
23 section shall be attached to the original certificate of birth of the  
24 adopted person upon entry of a decree of adoption.

25 \* Sec. 8. This Act takes effect January 1, 1986.

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