



General Assembly

January Session, 2009

Committee Bill No. 5455

LCO No. 4624

04624HB05455JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING PARENTAL INFORMATION PROVIDED TO AN ADULT CHILD AFTER PARENTAL RIGHTS ARE TERMINATED.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 45a-751b of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2009*):

3 (a) If parental rights were terminated on or after October 1, 1995,
4 any information tending to identify the adult adopted or adoptable
5 person, a biological parent, including a person claiming to be the father
6 who was not a party to the proceedings for the termination of parental
7 rights, or adult biological sibling shall not be disclosed unless written
8 consent is obtained from the person whose identity is being requested.

9 (b) If parental rights were terminated on or before September 30,
10 1995, (1) any information tending to identify [the] a biological [parents]
11 parent, including a person claiming to be the father who was not a
12 party to the proceedings for the termination of parental rights, shall
13 not be disclosed unless written consent is obtained from [each] the
14 biological parent [who was party to such proceedings] whose identity
15 is being requested, and (2) identifying information shall not be

16 disclosed to a biological parent, including a person claiming to be the
17 father who was not a party to the proceedings for the termination of
18 parental rights, without the written consent of each biological parent
19 who was a party to such proceedings and the consent of the adult
20 adopted or adoptable person whose identity is being requested.

21 (c) If the whereabouts of any person whose identity is being sought
22 are unknown, the court shall appoint a guardian ad litem pursuant to
23 subsection (c) of section 45a-753.

24 (d) When the authorized applicant requesting identifying
25 information has contact with a biological sibling who is a minor,
26 identifying information shall not be disclosed unless consent is
27 obtained from the adoptive parents or guardian or guardian ad litem
28 of the sibling.

29 (e) Any information tending to identify any adult relative other than
30 a biological parent shall not be disclosed unless written consent is
31 obtained from such adult relative. The consent of any biological
32 parents common to the person making the request and the person to
33 be identified shall be required unless (1) the parental rights of such
34 parents have been terminated and not reinstated, guardianship has
35 been removed and not reinstated or custody has been removed and
36 not reinstated with respect to such adult relative, or (2) the adoption
37 was finalized on or after June 12, 1984. No consent shall be required if
38 the person to be identified is deceased. If the person to be identified is
39 deceased, the information that may be released shall be limited as
40 provided in subsection (e) of section 45a-753.

41 (f) Any adult person for whom there is only removal of custody or
42 removal of guardianship as specified in subsection (b) of section 45a-
43 750 may apply in person or in writing to the child-placing agency, the
44 department, the court of probate or the superior court which has the
45 information. Such information shall be made available within sixty
46 days of receipt of such request unless the child-placing agency,

47 department or court notifies the person requesting the information that
48 it cannot be made available within sixty days and states the reason for
49 the delay. If the person making such request is a resident of this state
50 and it appears that counseling is advisable with release of the
51 information, the child-placing agency or department may request that
52 the person appear for an interview. If the person making such request
53 is not a resident of this state, and if it appears that counseling is
54 advisable with release of the information, the child-placing agency,
55 department or court may refer the person to an out-of-state agency or
56 appropriate governmental agency or department, approved by the
57 department or accredited by the Child Welfare League of America, the
58 National Conference of Catholic Charities, the Family Services
59 Association of America or the Council on Accreditation of Services of
60 Families and Children. If an out-of-state referral is made, the
61 information shall be released to the out-of-state child-placing agency
62 or department for release to the applicant, provided such information
63 shall not be released unless the out-of-state child-placing agency or
64 department is satisfied as to the identity of the person.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2009	45a-751b

Statement of Purpose:

To ensure that a biological parent whose parental rights are terminated be able to independently provide written consent sufficient to disclose identifying information to the child upon such child's attaining the age of eighteen.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. ROWE, 123rd Dist.

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