



General Assembly

Amendment

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LCO No. 4495

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Offered by:

REP. JOHNSON, 49th Dist.
REP. ALEXANDER, 58th Dist.
REP. DIMINICO, 13th Dist.
REP. MILLER, 36th Dist.

To: Subst. House Bill No. 5144

File No. 438

Cal. No. 252

"AN ACT CONCERNING ACCESS TO BIRTH CERTIFICATES AND PARENTAL HEALTH INFORMATION FOR ADOPTED PERSONS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 7-51 of the 2014 supplement to the general
4 statutes is repealed and the following is substituted in lieu thereof
5 (*Effective July 1, 2015*):

6 (a) (1) The department and registrars of vital statistics shall restrict
7 access to and issuance of a certified copy of birth and fetal death
8 records and certificates less than one hundred years old, to the
9 following eligible parties: [(1)] (A) The person whose birth is recorded,
10 if such person is [(A)] (i) over eighteen years of age, [or (B)] (ii) a
11 certified homeless youth, as defined in section 7-36, [; (2) the person
12 whose birth is recorded, if such person is] or (iii) a minor emancipated

13 pursuant to sections 46b-150 to 46b-150e, inclusive; [(3)] (B) such
14 person's [children] child, [grandchildren] grandchild, spouse, parent,
15 guardian or grandparent; [(4)] (C) the chief executive officer of the
16 municipality where the birth or fetal death occurred, or the chief
17 executive officer's authorized agent; [(5)] (D) the local director of
18 health for the town or city where the birth or fetal death occurred or
19 where the mother was a resident at the time of the birth or fetal death,
20 or the director's authorized agent; [(6)] (E) attorneys-at-law
21 representing such person or such person's parent, guardian, child or
22 surviving spouse; [(7)] (F) a conservator of the person appointed for
23 such person; [(8) members] (G) a member of a genealogical [societies]
24 society incorporated or authorized by the Secretary of the State to do
25 business or conduct affairs in this state; [(9) agents] (H) an agent of a
26 state or federal agency as approved by the department; and [(10)
27 researchers] (I) a researcher approved by the department pursuant to
28 section 19a-25.

29 (2) Except as provided in section 7-53, as amended by this act, and
30 section 19a-42a, access to confidential files on paternity, adoption,
31 gender change or gestational agreements, or information contained
32 within such files, shall not be released to any party, including the
33 eligible parties listed in subdivision (1) of this subsection, except upon
34 an order of a court of competent jurisdiction.

35 (b) No person other than the eligible parties listed in subsection (a)
36 of this section shall be entitled to examine or receive a copy of any
37 birth or fetal death record or certificate, access the information
38 contained therein, or disclose any matter contained therein, except
39 upon written order of a court of competent jurisdiction. Nothing in this
40 section shall be construed to permit disclosure to any person,
41 including the eligible parties listed in subsection (a) of this section, of
42 information contained in the "information for health and statistical use
43 only" section or the "administrative purposes only" section of a birth
44 certificate, unless specifically authorized by the department for
45 statistical or research purposes. The Social Security number of the

46 parent or parents listed on any birth certificate shall not be released to
47 any party, except to those persons or entities authorized by state or
48 federal law. Such confidential information, other than the excluded
49 information set forth in this subsection, shall not be subject to
50 subpoena or court order and shall not be admissible before any court
51 or other tribunal.

52 (c) (1) The registrar of the town in which the birth or fetal death
53 occurred or of the town in which the mother resided at the time of the
54 birth or fetal death, or the department, may issue a certified copy of the
55 certificate of birth or fetal death of any person born in this state
56 [which] that is kept in paper form in the custody of the registrar.
57 Except as provided in subdivision (2) of this subsection, such
58 certificate shall be issued upon the written request of an eligible party
59 listed in subsection (a) of this section. Any registrar of vital statistics in
60 this state with access, as authorized by the department, to the
61 electronic vital records system of the department may issue a certified
62 copy of the electronically filed certificate of birth or fetal death of any
63 person born in this state upon the written request of an eligible party
64 listed in subsection (a) of this section.

65 (2) In the case of a certified homeless youth, such certified homeless
66 youth and the person who is certifying the certified homeless youth as
67 homeless, as described in section 7-36, shall appear in person when the
68 certified homeless youth is presenting the written request described in
69 subdivision (1) of this subsection at (A) the office of the registrar of the
70 town in which the certified homeless youth was born, (B) the office of
71 the registrar of the town in which the mother of the certified homeless
72 youth resided at the time of the birth, (C) if the birth certificate of the
73 certified homeless youth has been electronically filed, any registrar of
74 vital statistics in the state with access, as authorized by the department,
75 to the electronic vital records system, or (D) the state vital records
76 office of the department. The certified homeless youth shall present to
77 the registrar or the department information sufficient to identify
78 himself or herself as may be required by regulations adopted by the

79 commissioner pursuant to section 7-41. The person who is certifying
80 the certified homeless youth as homeless shall present to the registrar
81 or the department information sufficient to identify himself or herself
82 as meeting the certification requirements of section 7-36.

83 (d) The department and each registrar of vital statistics shall issue
84 only certified copies of birth certificates or fetal death certificates, [for
85 births or fetal deaths occurring less than one hundred years prior to
86 the date of the request] except as provided in sections 7-51a and 7-53,
87 as amended by this act.

88 Sec. 2. Section 7-53 of the general statutes is repealed and the
89 following is substituted in lieu thereof (*Effective July 1, 2015*):

90 (a) Upon receipt of the record of adoption referred to in subsection
91 (e) of section 45a-745 or of other evidence satisfactory to the
92 department that a person born in this state has been adopted, the
93 department shall prepare a new birth certificate of such adopted
94 person, except that no new certificate of birth shall be prepared if the
95 court decreeing the adoption, the adoptive parents or the adopted
96 person, if over fourteen years of age, so requests. Such new birth
97 certificate shall include all the information required to be set forth in a
98 certificate of birth of this state as of the date of birth, except that the
99 adopting parents shall be named as the parents instead of the [genetic]
100 birth parents and, when a certified copy of the birth of such person is
101 requested by an [authorized person] eligible party as described in
102 subdivision (1) of subsection (a) of section 7-51, as amended by this act,
103 a copy of the new certificate of birth as prepared by the department
104 shall be provided. [Any person] Immediately after a new certificate of
105 birth has been prepared, an exact copy of such certificate, together
106 with a written notice of the evidence of adoption, shall be transmitted
107 by the department to the registrar of vital statistics of each
108 municipality in which the birth of the adopted person is recorded. The
109 new birth certificate, the original certificate of birth on file and the
110 evidence of adoption shall be filed and indexed, under such
111 regulations as the commissioner adopts, in accordance with chapter 54,

112 to carry out the provisions of this section and to prevent access to the
113 records of birth and adoption and the information contained in the
114 records, except as provided in this section.

115 (b) Except as provided in subsection (c) of this section and section 10
116 of this act, an original certificate of birth may only be issued if the
117 person named in the certificate of birth is deceased and the person
118 seeking to obtain such certificate of birth is an authorized applicant, as
119 defined in section 45a-743. Any authorized applicant seeking to
120 [examine or] obtain a copy of the original [record or] certificate of birth
121 shall first obtain a written court order [signed by the judge of the
122 probate court for the district in which the adopted person was adopted
123 or born in accordance with section 45a-753, or a written order of the
124 Probate Court in accordance with the provisions of section 45a-752,
125 stating that the court is of the opinion that the examination of the birth
126 record of the adopted person by the adopting parents or the adopted
127 person, if over eighteen years of age, or by the person wishing to
128 examine the same or that the issuance of a copy of such birth certificate
129 to the adopting parents or the adopted person, if over eighteen years of
130 age, or to the person applying therefor will not be detrimental to the
131 public interest or to the welfare of the adopted person or to the welfare
132 of the genetic or adoptive parent or parents] issued in accordance with
133 section 10 of this act. Upon receipt of such court order, [the registrar of
134 vital statistics of any town in which the birth of such person was
135 recorded, or] the department [,] may issue [the certified] an uncertified
136 copy of the original certificate of birth on file, marked with a notation
137 by the issuer that such original certificate of birth has been superseded
138 by a replacement certificate of birth as on file, [, or may permit the
139 examination of such record. Immediately after a new certificate of birth
140 has been prepared, an exact copy of such certificate, together with a
141 written notice of the evidence of adoption, shall be transmitted by the
142 department to the registrar of vital statistics of each town in this state
143 in which the birth of the adopted person is recorded. The new birth
144 certificate, the original certificate of birth on file and the evidence of
145 adoption shall be filed and indexed, under such regulations as the

146 commissioner adopts, in accordance with chapter 54, to carry out the
147 provisions of this section and to prevent access to the records of birth
148 and adoption and the information therein contained without due
149 cause, except as provided in this section.]

150 (c) Upon request, the department shall issue an uncertified copy of
151 an original certificate of birth to (1) an adopted person who is eighteen
152 years of age or older whose adoption was finalized on or after October
153 1, 1983, or (2) such adopted person's adult child or grandchild. Such
154 certificate shall be marked with a notation by the issuer that such
155 original certificate of birth has been superseded by a replacement
156 certificate of birth as on file. Additionally, a notice stating that
157 information related to the birth parents' preferences regarding contact
158 by such adopted person or such adopted person's adult child or
159 grandchild and a medical health history form completed by the birth
160 parent may be on file with the Department of Children and Families
161 shall be printed on such certificate or attached thereto.

162 (d) Any person, except such birth or adoptive parents, [or] such
163 adopted person or such adopted person's adult child or grandchild,
164 who discloses any information contained in such records, except as
165 provided in this section shall be fined not more than five hundred
166 dollars or imprisoned not more than six months, or both.

167 (e) Whenever a certified copy of an adoption decree from a court of
168 a foreign country, having jurisdiction of the adopted person, is filed
169 with the department under the provisions of this section, such decree,
170 when written in a language other than English, shall be accompanied
171 by an English translation, which shall be subscribed and sworn to as a
172 true translation by an American consulate officer stationed in such
173 foreign country.

174 Sec. 3. (NEW) (*Effective July 1, 2015*) (a) Upon the request of a birth
175 parent, the Department of Children and Families shall make available
176 to him or her a contact preference form on which the birth parent may
177 state a preference regarding contact by the person whose birth is

178 recorded on a certificate of birth that may be made available in
179 accordance with section 7-53 of the general statutes, as amended by
180 this act, to an adopted person when such person is eighteen years of
181 age or older or to such adopted person's adult child or grandchild.
182 Upon such request, the department shall also provide the birth parent
183 with a form on which to record his or her health history pursuant to
184 subdivision (10) of subsection (a) of section 45a-746 of the general
185 statutes.

186 (b) The contact preference form shall provide the birth parent with
187 the following options from which the birth parent shall select one:

188 (1) I would like to be contacted.

189 (2) I would like to be contacted, but only through an intermediary,
190 as designated by the birth parent.

191 (3) I do not want to be contacted.

192 (c) When the department receives a completed contact preference
193 form or completed health history form from a birth parent, the
194 department shall maintain such form in a confidential file and shall
195 provide copies only to the adopted person who is eighteen years of age
196 or older or such adopted person's adult child or grandchild, upon
197 request. A completed contact preference form shall not be considered a
198 public record for the purposes of section 1-210 of the general statutes.

199 Sec. 4. (NEW) (*Effective from passage*) (a) Not later than January 1,
200 2016, and annually thereafter until January 1, 2021, the Commissioner
201 of Public Health shall submit a report, in accordance with the
202 provisions of section 11-4a of the general statutes, concerning the
203 number of original birth certificates issued annually to adopted
204 persons eighteen years of age or older whose adoption was finalized
205 on or after October 1, 1983, or the adult children or grandchildren of
206 adopted persons in accordance with section 7-53 of the general
207 statutes, as amended by this act, to the joint standing committee of the
208 General Assembly having cognizance of matters relating to public

209 health.

210 (b) Not later than January 1, 2016, and annually thereafter until
211 January 1, 2021, the Commissioner of Children and Families shall
212 submit a report, in accordance with the provisions of section 11-4a of
213 the general statutes, concerning the number of contact preference
214 forms and medical health history forms annually filed with the
215 department in accordance with section 3 of this act to the joint
216 standing committee of the General Assembly having cognizance of
217 matters relating to public health. The report shall include the number
218 of birth parents that selected each option described in section 3 of this
219 act.

220 Sec. 5. Section 7-74 of the general statutes is repealed and the
221 following is substituted in lieu thereof (*Effective July 1, 2015*):

222 (a) The fee for a certification of birth registration, short form, shall
223 be fifteen dollars. The fee for a certified copy of a certificate of birth,
224 long form, shall be twenty dollars, except that the fee for such
225 certifications and copies when issued by the department shall be thirty
226 dollars.

227 (b) The fee for a certified copy of a certificate of marriage or death
228 shall be twenty dollars. Such fees shall not be required of the
229 department.

230 (c) The fee for one certified copy of a certificate of death for any
231 deceased person who was a veteran, as defined in subsection (a) of
232 section 27-103, shall be waived when such copy is requested by a
233 spouse, child or parent of such deceased veteran.

234 (d) The fee for an uncertified copy of an original certificate of birth
235 issued pursuant to section 7-53, as amended by this act, shall be sixty-
236 five dollars.

237 Sec. 6. Section 45a-744 of the general statutes is repealed and the
238 following is substituted in lieu thereof (*Effective July 1, 2015*):

239 It is the policy of the state of Connecticut to make available to
240 adopted and adoptable persons who are adults (1) information
241 concerning their background and status; to give the same information
242 to their adoptive parent or parents; and, in any case where such [adult]
243 adopted or adoptable persons are deceased, to give the same
244 information to their adult descendants, including adopted
245 descendants; [except a copy of their original birth certificate as
246 provided by section 7-51;] (2) to provide for consensual release of
247 additional information which may identify the biological parents or
248 relatives of such adult adopted or adoptable persons when release of
249 such information is in the best interests of such persons; (3) except as
250 provided in subdivisions [(4) and (5)] (1) and (4) to (6), inclusive, of
251 this section, to protect the right to privacy of all parties to termination
252 of parental rights, statutory parent and adoption proceedings; (4) to
253 make available to any biological parent of an adult adopted or adult
254 adoptable person, including a person claiming to be the father who
255 was not a party to the proceedings for termination of parental rights,
256 information which would tend to identify such adult adopted or
257 [adult] adoptable person; [and] (5) to make available to any adult
258 biological sibling of an adult adopted or adult adoptable person
259 information which would tend to identify such adult adopted or adult
260 adoptable person; and (6) to make available to any adult adopted
261 person eighteen years of age or older or such adopted person's adult
262 child or grandchild a copy of an original birth certificate, as provided
263 in section 7-53, as amended by this act, or section 10 of this act.

264 Sec. 7. Section 45a-751b of the general statutes is repealed and the
265 following is substituted in lieu thereof (*Effective July 1, 2015*):

266 (a) [If] Except as provided in subsection (c) of this section, if parental
267 rights were terminated on or after October 1, 1995, any information
268 tending to identify the adult adopted or adoptable person, a biological
269 parent, including a person claiming to be the father who was not a
270 party to the proceedings for the termination of parental rights, or adult
271 biological sibling shall not be disclosed unless written consent is

272 obtained from the person whose identity is being requested.

273 (b) (1) [If] Except as provided in subsection (c) of this section, if
274 parental rights were terminated on or before September 30, 1995, (A)
275 any information tending to identify the biological parents, including a
276 person claiming to be the father who was not a party to the
277 proceedings for the termination of parental rights, shall not be
278 disclosed unless written consent is obtained from each biological
279 parent who was party to such proceedings, except as provided in
280 subdivision (2) of this subsection, and (B) identifying information shall
281 not be disclosed to a biological parent, including a person claiming to
282 be the father who was not a party to the proceedings for the
283 termination of parental rights, without the written consent of each
284 biological parent who was a party to such proceedings and the consent
285 of the adult adopted or adoptable person whose identity is being
286 requested.

287 (2) [On] Except as provided in subsection (c) of this section, on and
288 after October 1, 2009, information tending to identify a biological
289 parent who is subject to this subsection may be disclosed to an
290 authorized applicant if the biological parent whose information is to be
291 disclosed provides written consent, provided the child-placing agency
292 or department attempts to determine the whereabouts of the other
293 biological parent and obtain written consent from such other biological
294 parent to permit disclosure of such information in the manner
295 permitted under subdivision (1) of this subsection. If such other
296 biological parent cannot be located or does not provide such written
297 consent, information tending to identify the biological parent who has
298 provided written consent may be disclosed to an authorized applicant,
299 provided: (A) Information tending to identify the other biological
300 parent shall not be disclosed without the written consent of the other
301 biological parent, and (B) the biological parent whose information is to
302 be disclosed signs an affidavit that such parent shall not disclose any
303 information tending to identify the other biological parent without the
304 written consent of the other biological parent.

305 (c) Regardless of the date parental rights were terminated, on or
306 after July 1, 2015, the Department of Public Health shall, upon request,
307 issue an uncertified copy of an original birth certificate to an adopted
308 person eighteen years of age or older who is the subject of the birth
309 certificate and whose adoption was finalized on or after October 1,
310 1983, or such adopted person's adult child or grandchild, in accordance
311 with the provisions of section 7-53, as amended by this act.

312 ~~[(c)]~~ (d) If the whereabouts of any person whose identity is being
313 sought are unknown, the court shall appoint a guardian ad litem
314 pursuant to subsection (c) of section 45a-753, as amended by this act.

315 ~~[(d)]~~ (e) When the authorized applicant requesting identifying
316 information has contact with a biological sibling who is a minor,
317 identifying information shall not be disclosed unless consent is
318 obtained from the adoptive parents or guardian or guardian ad litem
319 of the sibling.

320 ~~[(e)]~~ (f) Any information tending to identify any adult relative other
321 than a biological parent shall not be disclosed unless written consent is
322 obtained from such adult relative. The consent of any biological
323 parents common to the person making the request and the person to
324 be identified shall be required unless (1) the parental rights of such
325 parents have been terminated and not reinstated, guardianship has
326 been removed and not reinstated or custody has been removed and
327 not reinstated with respect to such adult relative or (2) the adoption
328 was finalized on or after June 12, 1984. No consent shall be required if
329 the person to be identified is deceased. If the person to be identified is
330 deceased, the information that may be released shall be limited as
331 provided in subsection (e) of section 45a-753, as amended by this act.

332 ~~[(f)]~~ (g) Any adult person for whom there is only removal of custody
333 or removal of guardianship as specified in subsection (b) of section
334 45a-750, as amended by this act, may apply in person or in writing to
335 the child-placing agency, the department, the court of probate or the
336 superior court ~~[which]~~ that has the information. Such information shall

337 be made available within sixty days of receipt of such request unless
338 the child-placing agency, department or court notifies the person
339 requesting the information that it cannot be made available within
340 sixty days and states the reason for the delay. If the person making
341 such request is a resident of this state and it appears that counseling is
342 advisable with release of the information, the child-placing agency or
343 department may request that the person appear for an interview. If the
344 person making such request is not a resident of this state, and if it
345 appears that counseling is advisable with release of the information,
346 the child-placing agency, department or court may refer the person to
347 an out-of-state agency or appropriate governmental agency or
348 department, approved by the department or accredited by the Child
349 Welfare League of America, the National Conference of Catholic
350 Charities, the Family Services Association of America or the Council
351 on Accreditation of Services of Families and Children. If an out-of-state
352 referral is made, the information shall be released to the out-of-state
353 child-placing agency or department for release to the applicant,
354 provided such information shall not be released unless the out-of-state
355 child-placing agency or department is satisfied as to the identity of the
356 person.

357 Sec. 8. Subsection (c) of section 19a-42 of the general statutes is
358 repealed and the following is substituted in lieu thereof (*Effective July*
359 *1, 2015*):

360 (c) An amended certificate shall supersede the original certificate
361 that has been changed and shall be marked "Amended", except for
362 amendments due to parentage or gender change. The original
363 certificate in the case of parentage or gender change shall be physically
364 or electronically sealed and kept in a confidential file by the
365 department and the registrar of any town in which the birth was
366 recorded, and may be unsealed for [viewing or] issuance only as
367 provided in section 7-53, as amended by this act, or upon a written
368 order of a court of competent jurisdiction. The amended certificate
369 shall become the [public] official record.

370 Sec. 9. Subsection (b) of section 45a-750 of the general statutes is
371 repealed and the following is substituted in lieu thereof (*Effective July*
372 *1, 2015*):

373 (b) Any person for whom there is only a removal of custody or
374 removal of guardianship, and such removal took place in this state
375 shall be given information [which] that may identify the biological
376 parent or parents or any relative of such person, upon request, in
377 person or in writing, in accordance with subsection [(f)] (g) of section
378 45a-751b, as amended by this act, provided such information with
379 respect to any relative shall not be released unless the consents
380 required in subsection [(e)] (f) of section 45a-751b, as amended by this
381 act, are obtained.

382 Sec. 10. (NEW) (*Effective July 1, 2015*) (a) On the petition of an
383 adopted person who is eighteen years of age or older and whose
384 adoption was finalized prior to October 1, 1983, or such adopted
385 person's adult child or grandchild, the Probate Court or the Superior
386 Court that finalized an adoption or appointed a guardian ad litem in
387 accordance with section 45a-753 of the general statutes, as amended by
388 this act, shall issue an order directing the Department of Public Health
389 to issue an uncertified copy of an original birth certificate to such
390 adopted person or such adopted person's child or grandchild in
391 accordance with subsection (b) of section 7-53 of the general statutes,
392 as amended by this act, provided each birth parent named on the
393 original birth certificate: (1) Consents to the release of identifying
394 information in accordance with sections 45a-751 to 45a-751b, inclusive,
395 of the general statutes, as amended by this act; (2) is deceased; or (3) a
396 legal representative or guardian ad litem consents to the release of
397 identifying information on behalf of the birth parent in accordance
398 with section 45a-753 of the general statutes, as amended by this act.
399 Nothing in this section shall limit the right of an adopted person
400 eighteen years of age or older whose adoption was finalized on or after
401 October 1, 1983, or such adopted person's adult child or grandchild to
402 obtain an uncertified copy of an original birth certificate pursuant to

403 section 7-53 of the general statutes, as amended by this act.

404 (b) On the petition of an authorized applicant, as defined in section
405 45a-743 of the general statutes, the Probate Court or the Superior Court
406 that finalized an adoption or appointed a guardian ad litem in
407 accordance with section 45a-753 of the general statutes, as amended by
408 this act, shall issue an order directing the Department of Public Health
409 to issue an uncertified copy of an original birth certificate to the
410 authorized applicant in accordance with subsection (b) of section 7-53
411 of the general statutes, as amended by this act, provided the person
412 named in the certificate of birth is deceased and each birth parent
413 named on the original birth certificate: (1) Consents to the release of
414 identifying information, in accordance with sections 45a-751 to 45a-
415 751b, inclusive, of the general statutes, as amended by this act; (2) is
416 deceased; or (3) a legal representative or guardian ad litem consents to
417 the release of identifying information on behalf of the birth parent, in
418 accordance with section 45a-753 of the general statutes, as amended by
419 this act.

420 Sec. 11. Section 45a-753 of the general statutes is repealed and the
421 following is substituted in lieu thereof (*Effective July 1, 2015*):

422 (a) If a request is received pursuant to section 45a-751, the child-
423 placing agency or department [which] that has agreed to attempt to
424 locate the person or persons whose identity is being requested or the
425 child-placing agency or department [which] that furnished a report
426 ordered by the court following a petition [made under subsection (f) of
427 this section] shall not be required to expend more than ten [hours]
428 hours' time within sixty days of receipt of the request unless the child-
429 placing agency or department notifies the authorized applicant of a
430 delay and states the reason for the delay. The child-placing agency or
431 department may charge the applicant reasonable compensation and be
432 reimbursed for expenses in locating any person whose identity is being
433 requested. The obtaining of such consent shall be accomplished in a
434 manner [which] that will protect the confidentiality of the
435 communication and shall be done without disclosing the identity of

436 the applicant. For the purposes of this section any records at the [Court
437 of] Probate Court or the Superior Court shall be available to an
438 authorized representative of the child-placing agency or department to
439 which the request has been made.

440 (b) If the child-placing agency or department is out-of-state and
441 unwilling to expend time for such purpose, the [court of probate
442 which] Probate Court or Superior Court that finalized the adoption or
443 terminated parental rights [or the superior court which terminated
444 parental rights] shall upon petition appoint a licensed or approved
445 child-placing agency or the department to complete the requirements
446 of this section.

447 (c) If the relative whose identity is requested cannot be located or
448 appears to be incompetent but has not been legally so declared, the
449 [Court of] Probate Court or the Superior Court shall appoint a
450 guardian ad litem under the provisions of section 45a-132, at the
451 expense of the person making the request. The guardian ad litem shall
452 decide whether to give consent on behalf of the relative whose identity
453 is being requested.

454 (d) If the relative whose identity has been requested has been
455 declared legally incapable or incompetent by a court of competent
456 jurisdiction, then the legal representative of such person may consent
457 to the release of such information.

458 (e) Such guardian ad litem or legal representative shall give such
459 consent unless after investigation he or she concludes that it would not
460 be in the best interest of the adult person to be identified for such
461 consent to be given. [If] Except as provided in section 10 of this act, if
462 release of the information requires the consent of such guardian ad
463 litem or legal representative, or if the person whose identity is sought
464 is deceased, only the following information may be released: (1) All
465 names by which the person whose identity is being sought has been
466 known, and all known addresses; (2) the date and place of such
467 person's birth; (3) all places where such person was employed; (4) such

468 person's Social Security number; (5) the names of educational
469 institutions such person attended; and (6) any other information that
470 may assist in the search of a person who cannot be located.

471 [(f) (1) If (A) the person whose identity is being sought cannot be
472 located or is incompetent or (B) the child-placing agency or
473 department has not located the person within sixty days, the
474 authorized applicant may petition for access to the information to the
475 court of probate or the superior court which terminated the parental
476 rights or to the court of probate which approved the adoption.

477 (2) Within fifteen days of receipt of the petition, the court shall order
478 the child-placing agency or department which has access to such
479 information to present a report. The report by the child-placing agency
480 or department shall be completed within sixty days after receipt of the
481 order from the court.

482 (3) If the child-placing agency or department is out-of-state and
483 unwilling to provide the report, the court shall refer the matter to a
484 child-placing agency in this state or to the department for a report.

485 (4) The report shall determine through an interview with the adult
486 adopted or adult adoptable person and through such other means as
487 may be necessary whether (A) release of the information would be
488 seriously disruptive to or endanger the physical or emotional health of
489 the authorized applicant, and (B) release of the information would be
490 seriously disruptive to or endanger the physical or emotional health of
491 the person whose identity is being requested.

492 (5) Upon receipt of the report, or upon expiration of sixty days,
493 whichever is sooner, the court shall set a time and place for hearing not
494 later than fifteen days after receipt of the report or expiration of such
495 sixty days, whichever is sooner. The court shall immediately give
496 notice of the hearing to the authorized applicant and to the child-
497 placing agency or the department.

498 (6) At the hearing, the authorized applicant may give such evidence

499 to support the petition as the authorized applicant deems appropriate.

500 (7) Within fifteen days after the conclusion of the hearing, the court
501 shall issue a decree as to whether the information requested shall be
502 given to the authorized applicant.

503 (8) The requested information shall be provided to the authorized
504 applicant unless the court determines that: (A) Consent has not been
505 granted by a guardian ad litem appointed by the court to represent the
506 person whose identity has been requested; (B) release of the
507 information would be seriously disruptive to or endanger the physical
508 or emotional health of the authorized applicant; or (C) release of the
509 information would be seriously disruptive to or endanger the physical
510 or emotional health of the person whose identity is being requested.

511 (9) If the court denies the petition and determines that it would be in
512 the best interests of the person whose identity is being requested to be
513 notified that the authorized applicant has petitioned the court for
514 identifying information, the court shall request the child-placing
515 agency or department to so notify the person whose identity is being
516 requested. The notification shall be accomplished in a manner which
517 will protect the confidentiality of the communication and shall be done
518 without disclosing the identity of the authorized applicant. If the
519 person whose identity is being requested is so notified, the authorized
520 applicant who petitioned the court shall be informed that this
521 notification was given.]"

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2015</i>	7-51
Sec. 2	<i>July 1, 2015</i>	7-53
Sec. 3	<i>July 1, 2015</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>July 1, 2015</i>	7-74
Sec. 6	<i>July 1, 2015</i>	45a-744
Sec. 7	<i>July 1, 2015</i>	45a-751b

Sec. 8	<i>July 1, 2015</i>	19a-42(c)
Sec. 9	<i>July 1, 2015</i>	45a-750(b)
Sec. 10	<i>July 1, 2015</i>	New section
Sec. 11	<i>July 1, 2015</i>	45a-753