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H.629

Introduced by Representatives Webb of Shelburne, Brumsted of Shelburne,
Grad of Moretown, and Townsend of South Burlington

Referred to Committee on

Date:

Subject: Domestic relations; adoption

Statement of purpose of bill as introduced: This bill proposes to permit the disclosure of adoption identifying information to an adoptee unless the former parent has filed a request for nondisclosure or has filed in any court or agency any kind of document that clearly indicates that the former parent's identity not be disclosed and has not withdrawn the document.

An act relating to access to adoption records

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 15A V.S.A. § 6-105 is amended to read:

§ 6-105. DISCLOSURE OF IDENTIFYING INFORMATION

(a) Identifying information about an adoptee's former parent shall be disclosed by the registry to any of the following persons upon request:

- (1) An adoptee who is 18 ~~or more years old~~ years of age or older.
- (2) An adoptee who is emancipated.

1 (3) A deceased adoptee's direct descendant who is 18 ~~or more years old~~
2 years of age or older or the parent or guardian of a direct descendant who is
3 less than 18 years ~~old~~ of age.

4 (b) ~~From July 1, 1996 to December 31, 1997, the registry shall disclose~~
5 ~~identifying information under subsection (a) of this section only if the former~~
6 ~~parent consents to such disclosure. After December 31, 1997, the registry shall~~
7 ~~disclose information under subsection (a) of this section as follows:~~

8 (1) ~~For adoptions that were finalized prior to July 1, 1986, the registry~~
9 ~~shall disclose identifying information if the former parent has filed in any~~
10 ~~Probate Division of the Superior Court or agency any kind of document that~~
11 ~~clearly indicates that he or she consents to such disclosure.~~

12 (2) ~~For adoptions that were finalized on or after July 1, 1986, the The~~
13 registry shall disclose identifying information without requiring the consent of
14 the former parent except the registry shall not disclose such information if the
15 former parent has filed a request for nondisclosure in accordance with the
16 provisions of section 6-106 of this title and has not withdrawn the request or,
17 ~~prior to July 1, 1996,~~ has filed in any court or agency any kind of document
18 that clearly indicates that ~~his or her~~ the former parent's identity not be
19 disclosed and has not withdrawn the document.

1 (c) An adult descendant of a deceased former parent or the guardian of a
2 former parent who has been declared incompetent may consent to the
3 disclosure of information as provided for in subsection (a) of this section.

4 (d) If an adoptee, who is 18 ~~or more years old~~, years of age or older
5 consents, identifying information about the adoptee shall be disclosed by the
6 registry to any of the following persons upon request:

7 (1) ~~The~~ the adoptee's former parent; and

8 (2) ~~The~~ the adoptee's sibling who is 18 ~~or more years old~~ years of age or
9 older.

10 (e) Identifying information about the adoptee shall be disclosed to the
11 adoptee's former parent if the parent of an adoptee who is less than 18 years
12 ~~old~~ of age consents to the disclosure.

13 (f) Identifying information about a deceased adoptee shall be disclosed by
14 the registry to the adoptee's former parent or sibling upon request if:

15 (1) the deceased adoptee's direct descendant is 18 ~~or more years old~~
16 years of age or older and consents to the disclosure; or

17 (2) the parent or guardian of a direct descendant who is less than 18
18 years ~~old~~ of age consents to the disclosure.

19 (g) Identifying information about a sibling of an adoptee shall be disclosed
20 by the registry to the adoptee upon request if both the sibling and the adoptee

1 are 18 ~~or more years old~~ years of age or older and the sibling consents to
2 disclosure.

3 Sec. 2. EFFECTIVE DATE

4 This act shall take effect on July 1, 2024.