

Regular Session, 2012

HOUSE BILL NO. 750

BY REPRESENTATIVE JIM MORRIS (BY REQUEST)

ADOPTION: Authorizes an adoptee to obtain information from his adoption records in certain circumstances

1 AN ACT

2 To amend and reenact Children's Code Article 1189(4) and to enact Children's Code Article
3 1189(5), relative to disclosure of adoption records; to provide for disclosure of
4 adoption records greater than fifty years old in certain circumstances; and to provide
5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Children's Code Article 1189(4) is hereby amended and reenacted and
8 Children's Code Article 1189(5) is hereby enacted to read as follows:

9 Art. 1189. Grounds for disclosure

10 A motion for disclosure shall show compelling necessity overriding the
11 general policy of confidentiality for adoption records by alleging any of the
12 following:

13 * * *

14 (4) The adoption took place more than fifty years ago and the only requested
15 information is the maiden name or surname of the biological parents for genealogical
16 purposes.

17 (5) The information is otherwise required to be disclosed by federal or state
18 law.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Jim Morris

HB No. 750

Abstract: Provides for confidential adoption information to be disclosed if the adopted child alleges in his motion for disclosure that his adoption took place over 50 years ago and that he is only requesting the maiden name or surname of his biological parents for genealogical purposes.

Present law provides for disclosure of adoption records for compelling reasons, including the determination of inheritance rights and for medical necessity.

Proposed law retains present law and allows for disclosure of confidential adoption records to an adopted child if the adoption took place more than 50 years ago and the requestor is only requesting the maiden name or surname of his biological parents for genealogical purposes.

(Amends Ch.C. Art. 1189(4); Adds Ch.C. Art. 1189(5))