

1 ~~file with the central adoption registry a statement consenting to~~
2 ~~or denying the release of the identifying information about that~~
3 ~~parent specified in section 27(3)(b) and (c). The consent or denial~~
4 ~~may be filed, updated, or revoked at any time.~~ **a contact preference**
5 **form with the state registrar or the department in accordance with**
6 **section 2882 of the public health code, 1978 PA 368, MCL 333.2882.**

7 (2) An adult former sibling may file a statement with the
8 central adoption registry providing notice that a former parent is
9 deceased. A copy of the former parent's death certificate or other
10 evidence of the former parent's death ~~shall~~ **must** be attached to the
11 statement.

12 (3) An adult former sibling who knows the birth name of an
13 adoptee may file with the central adoption registry a statement
14 consenting to the release of the adult former sibling's name and
15 address to the adult adoptee. The statement may be filed, updated,
16 or revoked at any time.

17 (4) At the time of termination of parental rights under this
18 chapter or chapter XIIIA, the court **and, if applicable, the child**
19 **placing agency shall comply with all of the following:**

20 (a) **The court shall** inform each parent of the provisions
21 described in this section and sections 27b, 68, 68a, and 68b. ~~The~~
22 ~~court shall inform each parent that the parent's consent to the~~
23 ~~release of identifying information about that parent specified in~~
24 ~~section 27(3)(b) and (c) shall be presumed unless the parent files~~
25 ~~a statement with the central adoption registry denying the release~~
26 ~~of the information about that parent. The court shall explain the~~
27 ~~parent's right to file, update, or revoke the denial at any time,~~
28 ~~and shall provide each parent with the forms prescribed under~~
29 ~~section 27b.~~

1 **(b) The court and any child placing agency shall notify each**
2 **parent of the parent's ability to file a contact preference form**
3 **and to file an updated contact preference form.**

4 Sec. 27b. (1) ~~The~~**Subject to section 27c, the** department shall
5 establish and maintain a central adoption registry to control the
6 release of identifying information described in section 27(3).

7 (2) The central adoption registry ~~shall~~**must** keep on file the
8 statements of former parents consenting to or, **if filed before July**
9 **1, 2024 and still in effect,** denying the release of identifying
10 information and the statements of adult former siblings described
11 in section 27a(2) and (3).

12 (3) The department shall develop **and maintain** forms for former
13 parents to use to consent to ~~, deny, or revoke a consent to or~~
14 ~~denial of,~~ the release of identifying information and forms for
15 adult former siblings to use to provide notice of the death of a
16 former parent and to consent to the release of the adult former
17 sibling's name and address to an adult adoptee. The department
18 shall make the forms available to child placing agencies and the
19 court. The forms shall include the current name and address of the
20 former parent or adult former sibling. ~~The denial form shall~~
21 ~~contain a space for the former parent to indicate, if he or she~~
22 ~~wishes, the reason why he or she does not wish to be identified or~~
23 ~~contacted.~~ The department ~~shall~~**must** also develop and distribute
24 clearance request and reply forms to be used by child placing
25 agencies, the department, and the court to request and receive
26 information from the central adoption registry ~~pursuant~~**according**
27 to section 68(5) and (8).

28 (4) Upon receipt of a clearance request form from a child
29 placing agency or the department or court ~~pursuant to~~**under** section

1 68(5), the central adoption registry shall transmit to the
2 requester a clearance reply form indicating whether a particular
3 former parent has filed with the registry a statement either
4 denying or consenting to the release of identifying information or
5 whether a former parent is deceased. The central adoption registry
6 shall attach a copy of the statement consenting to or denying the
7 release of identifying information. Once a request for information
8 has been received by the central adoption registry, a subsequent
9 statement submitted by a former parent consenting to the release of
10 identifying information or revoking a previous denial of release of
11 identifying information shall be transmitted to the person who
12 requested the information.

13 (5) Upon receipt of a clearance request form from a child
14 placing agency or the department or court ~~pursuant to~~ **under** section
15 68(8), the central adoption registry shall transmit to the
16 requester a statement from an adult former sibling consenting to
17 the release of the adult former sibling's name and address to an
18 adult adoptee. Once a request for information has been received by
19 the central adoption registry, a subsequent statement submitted by
20 an adult former sibling consenting to the release of the adult
21 former sibling's name and address shall be transmitted to the
22 person who requested the information.

23 **Sec. 27c. The restrictions on the release of identifying**
24 **information under this chapter must not restrict an individual from**
25 **obtaining an unredacted copy of an original certificate of live**
26 **birth as provided under section 2882 of the public health code,**
27 **1978 PA 368, MCL 333.2882.**

28 Sec. 67. (1) Except as otherwise provided in subsection (4) or
29 in section 68 of this chapter, records of proceedings in adoption

1 cases, including a notice filed under section 33(1) of this
 2 chapter, and a petition filed under section 34(1) of this chapter,
 3 and the papers and books relating to the proceedings ~~shall~~**must** be
 4 kept in separate locked files and ~~shall~~**are** not ~~be~~ open to
 5 inspection or copy except upon order of a court of record for good
 6 cause shown expressly permitting inspection or copy. Except as
 7 otherwise provided in subsection (4) or in section 68 of this
 8 chapter, the court, after 21 days following entry of the final
 9 order of adoption, shall not permit copy or inspection of the
 10 adoption proceedings, except upon a sworn petition setting forth
 11 the purpose of the inspection or copy. The court may order notice
 12 and a hearing on the petition. The court shall grant or deny the
 13 petition in writing within 63 days after the petition is filed,
 14 except that for good cause the court may grant or deny the petition
 15 after the 63-day period but not later than 182 days after the
 16 petition is filed.

17 (2) ~~A~~**Except as otherwise provided under this subsection, a**
 18 person in charge of adoption records shall not disclose the names
 19 of the biological or adoptive parents of an adopted person, unless
 20 ordered to do so by a court of record or as provided in subsection
 21 (4) or in section 68 of this chapter. ~~, except~~**A person described**
 22 **under this subsection may disclose the names of the biological or**
 23 **adoptive parents of an adopted person** to meet requirements of the
 24 director of ~~public~~**health and human services** for the purpose of
 25 creating a new certificate of birth in the adoptive name and
 26 sealing the original certificate of **live birth, and to issue an**
 27 **unredacted copy of the original certificate of live birth under**
 28 **section 2882 of the public health code, 1978 PA 368, MCL 333.2882.**

29 (3) The director of ~~public~~**health and human services** shall

1 furnish to the adopting parent or parents a certified copy of the
2 new birth certificate that ~~shall~~**must** not disclose the adoption of
3 the person. A birth certificate issued to an adopted person ~~shall~~
4 **must** not refer to adoption and ~~shall~~**must** conform as nearly as
5 possible to the appearance of birth certificates issued in other
6 cases.

7 (4) After an order of adoption has been entered under section
8 56 **of this chapter**, the court shall permit the children's ombudsman
9 to inspect closed adoption records in connection with an
10 investigation authorized under the children's ombudsman act, ~~Act~~
11 ~~No. 204 of the Public Acts of 1994, being sections 722.921 to~~
12 ~~722.935 of the Michigan Compiled Laws. 1994 PA 204, MCL 722.921 to~~
13 **722.932**. The ombudsman shall not disclose information obtained by
14 an inspection under this subsection. If the children's ombudsman
15 requires further information from an individual whose identity is
16 protected in closed adoption records, the ombudsman shall contact
17 the individual discreetly and confidentially. The ombudsman shall
18 inform the individual that ~~his or her~~**the individual's**
19 participation in the ombudsman's investigation is confidential, is
20 strictly voluntary, and will not alter or constitute a challenge to
21 the adoption. The ombudsman shall honor the individual's request
22 not to be contacted further. As used in this subsection,
23 "children's ombudsman" or "ombudsman" means the ombudsman appointed
24 ~~pursuant to~~**under** section 3 of ~~Act No. 204 of the Public Acts of~~
25 ~~1994, being section 722.923 of the Michigan Compiled Laws, or his~~
26 ~~or her~~**the children's ombudsman act, 1994 PA 204, MCL 722.923, or**
27 **the ombudsman's** designee.

28 Sec. 68. (1) Within 63 days after a request for nonidentifying
29 information is received, a child placing agency, a court, or the

1 department shall provide in writing to the adoptive parent, adult
2 adoptee, former parent, or adult former sibling requesting the
3 information all of the nonidentifying information described in
4 section 27(1) and (2) of this chapter.

5 (2) Within 63 days after a request for identifying information
6 about an adult adoptee is received, a child placing agency or court
7 or the department shall provide in writing to the former parent or
8 adult former sibling requesting the information the adult adoptee's
9 most recent name and address if the adult adoptee has given written
10 consent to release of the information ~~pursuant to~~ **under** this
11 chapter. If the adult adoptee has not given written consent to the
12 release of information, the child placing agency, the court, or the
13 department shall, upon presentation of a certified copy of the
14 order of appointment, give the adult adoptee's name and address to
15 a confidential intermediary appointed under section 68b of this
16 chapter, together with any other information in its possession that
17 would help the confidential intermediary locate the adult adoptee.
18 At the option of **the child placing** agency or the department, the
19 information may be released to the court for release to the
20 confidential intermediary.

21 (3) If the department or a child placing agency receives a
22 request for adoption record information in its possession from an
23 adult adoptee, former parent, or adult former sibling, the
24 department or child placing agency shall provide the individual
25 requesting the information with the identity of the court that
26 confirmed the adoption within 28 days after receipt of the request.
27 If a court receives such a request, the court shall provide the
28 individual requesting the information with the identity of the
29 child placing agency that handled the adoption.

1 (4) If the court that terminated parental rights receives from
2 the former parents or adult former siblings of the adult adoptee a
3 request for the identity of the **child placing** agency, court, or
4 department to which the child was committed, the court shall
5 provide in writing the name of that **child placing** agency, court, or
6 department, if known, within 28 days after receipt of the request.

7 (5) Upon receipt of a written request for identifying
8 information from an adult adoptee, a child placing agency, a court,
9 or the department, if it maintains the adoption file for that
10 adoptee, shall submit a clearance request form to the central
11 adoption registry. Within 28 days after receipt of a clearance
12 reply form from the central adoption registry, the child placing
13 agency, court, or department shall notify the adoptee in writing of
14 the identifying information to which the adoptee is entitled under
15 subsection (6), ~~or (7),~~ or, if the identifying information cannot
16 be released, ~~under those subsections,~~ the reason why the
17 information cannot be released. The child placing agency, court, or
18 department shall retain a copy of the notice sent to the adult
19 adoptee.

20 ~~(6) For adoptions in which the former parents' rights were~~
21 ~~terminated on or after May 28, 1945 and before September 12, 1980,~~
22 ~~a child placing agency, a court, or the department shall release to~~
23 ~~an adult adoptee or to a confidential intermediary appointed under~~
24 ~~section 68b of this chapter the identifying information described~~
25 ~~in section 27(3) of this chapter and other identifying information~~
26 ~~on file with the central adoption registry as specified in section~~
27 ~~27b of this chapter, in the following manner:~~

28 ~~(a) All of the identifying information described in section~~
29 ~~27(3) of this chapter shall be released to the adult adoptee, if~~

1 ~~both former parents have on file with the central adoption registry~~
2 ~~a statement consenting to release of the identifying information.~~

3 ~~(b) The identifying information described in section 27(3)(b)~~
4 ~~and (c) of this chapter about 1 of the former parents and the~~
5 ~~identifying information described in section 27(3)(a) and (d) of~~
6 ~~this chapter shall be released to the adult adoptee if that former~~
7 ~~parent has on file with the central adoption registry a statement~~
8 ~~consenting to release of identifying information.~~

9 ~~(c) The identifying information described in section 27(3)(b)~~
10 ~~and (c) of this chapter about 1 of the former parents and the~~
11 ~~identifying information described in section 27(3)(a) and (d) of~~
12 ~~this chapter shall be released to the adult adoptee if that parent~~
13 ~~is deceased.~~

14 ~~(d) All of the identifying information described in section~~
15 ~~27(3) of this chapter on both former parents shall be released to~~
16 ~~the adult adoptee, if both former parents are deceased.~~

17 ~~(e) Upon presentation of a certified copy of the order of~~
18 ~~appointment, all of the identifying information described in~~
19 ~~section 27(3) of this chapter shall be released to a confidential~~
20 ~~intermediary appointed under section 68b of this chapter, together~~
21 ~~with additional information to assist the confidential intermediary~~
22 ~~to locate former family members. At the option of the agency or the~~
23 ~~department, the information may be released to the court for~~
24 ~~release to the confidential intermediary.~~

25 ~~(6) (7) For all adoptions in which the former parents' rights~~
26 ~~were terminated before May 28, 1945 or on or after September 12,~~
27 ~~1980, a **A** child placing agency, a court, or, **subject to section**~~
28 ~~**27c**, the department shall release to an adult adoptee the~~
29 ~~identifying information described in section 27(3) of this chapter~~

1 ~~and any additional information on file with the central adoption~~
 2 ~~registry as specified in section 27b of this chapter, except that~~
 3 ~~if a former parent has had, before July 1, 2024, filed a statement~~
 4 ~~currently in effect with the central adoption registry denying~~
 5 ~~consent to have identifying information released, the identifying~~
 6 ~~information specified in section 27(3)(b) and (c) of this chapter~~
 7 ~~shall not be released about that parent. For purposes of this~~
 8 ~~subsection, a~~ **A denial of consent to release identifying**
 9 **information, if filed before July 1, 2024,** is not effective after
 10 the death of the former parent. ~~This subsection does not apply to~~
 11 ~~adoptions in which the former parents' rights were terminated under~~
 12 ~~chapter XII of this act unless the former parent has filed a~~
 13 ~~statement with the central adoption registry consenting to the~~
 14 ~~release of identifying information.~~

15 **(7)** ~~(8)~~ Upon receipt of a written request from an adult
 16 adoptee for the name and address of an adult former sibling, a
 17 child placing agency, a court, or the department, if it maintains
 18 the adoption file for that adoptee, shall submit a clearance
 19 request form to the central adoption registry. Within 28 days after
 20 receipt of a clearance reply form from the central adoption
 21 registry, the child placing agency, court, or department shall
 22 notify the adoptee in writing of the name and address of an adult
 23 former sibling whose statement was forwarded by the central
 24 adoption registry.

25 ~~(9) If a child placing agency or court or the department~~
 26 ~~requests information from the central adoption registry and if the~~
 27 ~~clearance reply form from the central adoption registry indicates~~
 28 ~~that neither of the former parents has on file with the central~~
 29 ~~adoption registry a statement currently in effect denying consent~~

1 ~~to have identifying information released, the child placing agency,~~
2 ~~court, or department shall deliver to the adult adoptee a copy of~~
3 ~~the clearance reply form it received from the central adoption~~
4 ~~registry. The clearance reply form may be used by the adult adoptee~~
5 ~~to obtain a copy of his or her original certificate of live birth~~
6 ~~under section 2882 of the public health code, 1978 PA 368, MCL~~
7 ~~333.2882. Except for adoptions in which the former parents'~~
8 ~~parental rights were terminated under chapter XII of this act, this~~
9 ~~subsection applies to all adoptions in which the parents' rights~~
10 ~~were terminated before May 28, 1945 or on or after September 12,~~
11 ~~1980.~~

12 (8) ~~(10)~~—If a child placing agency, a court, or the department
13 receives written information concerning a physician-verified
14 medical or genetic condition of an individual biologically related
15 to an adoptee and a request that the information be transmitted to
16 the adoptee because of the serious threat it poses to the adoptee's
17 life, the child placing agency, court, or department shall send a
18 written copy of the information by first-class mail within 7 days
19 after the request is received to the adoptee at his or her last
20 known address. If the adoptee is less than 18 years of age, the
21 information shall be sent by first-class mail within 7 days after
22 the request is received to the adoptive parents at their last known
23 address.

24 (9) ~~(11)~~—If the information described in subsection ~~(10)~~—(8)
25 is returned undelivered, the **child placing** agency, court, or
26 department shall make a reasonable effort to find the most recent
27 address of the adoptee or minor adoptee's parents and shall again
28 send the information by first-class mail within 21 days after
29 receiving the returned letter.

1 **(10)** ~~(12)~~—If a child placing agency, a court, or the
 2 department receives written information concerning a physician-
 3 verified medical or genetic condition of ~~a person~~**an individual**
 4 biologically related to an adoptee, and the condition is not life-
 5 threatening to the adoptee, the child placing agency, court, or
 6 department shall place the information in its adoption files. If
 7 the child placing agency, court, or department receives a written
 8 request for the information from the adult adoptee or minor
 9 adoptee's adoptive parents, it shall release a written copy of the
 10 information to the adult adoptee or to the minor adoptee's adoptive
 11 parents within 63 days after the request for the information was
 12 made.

13 **(11)** ~~(13)~~—If a child placing agency, a court, or the
 14 department receives written information concerning a physician-
 15 verified medical or genetic condition that threatens the life of an
 16 adoptee and for which a biologically related ~~person~~**individual**
 17 could give life-saving aid, and receives a request from or on
 18 behalf of the adoptee that the information be transmitted, the
 19 child placing agency, court, or department shall send a written
 20 copy of the information by first-class mail within 7 days after the
 21 request is received to the biological parents or adult biological
 22 siblings of the adoptee at their last known address.

23 **(12)** ~~(14)~~—If the information described in subsection ~~(13)~~**(11)**
 24 is returned undelivered, the **child placing** agency, court, or
 25 department shall make a reasonable effort to find the most recent
 26 address of the biological parents or adult biological siblings and
 27 shall again send the information by first-class mail within 21 days
 28 after receiving the returned letter.

29 ~~(15) If a child placing agency, a court, or the department~~

1 ~~provides an adoptee with the name of 1 of the adoptee's former~~
2 ~~parents, that child placing agency, court, or department shall~~
3 ~~notify the department of community health of that fact. Upon~~
4 ~~receipt of notification by the child placing agency, court, or~~
5 ~~department, the department of community health shall insure that~~
6 ~~the original birth certificate on file for the adoptee has been~~
7 ~~sealed and that a new birth certificate has been prepared in~~
8 ~~conformance with section 67 of this chapter.~~

9 **(13)** ~~(16)~~—An employee or agent of a child placing agency, a
10 court, or the department, who intentionally releases identifying
11 information in violation of this section, is guilty of a
12 misdemeanor.

13 **(14)** ~~(17)~~—This section also applies to a stepparent adoption
14 and to the adoption of a child related to the petitioner within the
15 fifth degree by marriage, blood, or adoption.

16 **(15)** ~~(18)~~—As used in this section, "adult adoptee" means an
17 individual who was adopted as a child who is now 18 years of age or
18 older or an individual who was 18 years of age or older at the time
19 of adoption.

20 **(16)** ~~(19)~~—A child placing agency, a court, and the department
21 may require a fee for supplying information under this section. The
22 fee shall be \$60.00 or the actual cost of supplying the
23 information, whichever is less. The child placing agency, court, or
24 department may waive a part or all of the fee in case of indigency
25 or hardship.

26 **(17)** ~~(20)~~—A direct descendant of a deceased adult adoptee may
27 request information under this section. All information to which an
28 adult adoptee is entitled under this section shall be released to
29 the adult adoptee's direct descendants if the adult adoptee is

1 deceased.

2 **(18)** ~~(21)~~—A child placing agency, a court or the department
3 shall permit the children's ombudsman to inspect adoption records
4 in its possession in connection with an investigation authorized
5 under the children's ombudsman act, 1994 PA 204, MCL 722.921 to
6 722.935. The ombudsman shall not disclose information obtained by
7 an inspection under this section. If the children's ombudsman
8 requires further information from an individual whose identity is
9 protected in closed adoption records, the ombudsman shall contact
10 the individual discreetly and confidentially. The ombudsman shall
11 inform the individual that his or her participation in the
12 investigation is confidential, is strictly voluntary, and will not
13 alter or constitute a challenge to the adoption. The ombudsman
14 shall honor the individual's request not to be contacted further.
15 As used in this subsection, "children's ombudsman" or "ombudsman"
16 means the ombudsman appointed under section 3 of the children's
17 ombudsman act, 1994 PA 204, MCL 722.923, or his or her designee.

18 **(19) All adoption records are public records 100 years after**
19 **the birth of the adoptee.**

20 **(20) The department, with the cooperation of other state**
21 **departments and agencies, shall make reasonable efforts to notify**
22 **members of the public who may be affected by changes in the law**
23 **governing the release of identifying and nonidentifying information**
24 **and access to original certificates of live birth, including all of**
25 **the following:**

26 **(a) Informing the general public by submitting press releases**
27 **and information to the news media.**

28 **(b) Informing the adoptee, birth parent, and genealogy groups**
29 **in this state and other states.**

1 (c) Including information in motor vehicle registration and
2 driver's license renewals.

3 (d) Including information on social media, the department's
4 website, and other online services and platforms.

5 (21) The department shall update the information pamphlet
6 required under section 68a to reflect changes in the law under this
7 section.

8 (22) Within 14 days after a request from the department of
9 health and human services, the court that entered the order of
10 adoption must provide the information necessary for the department
11 of health and human services to locate and identify the original
12 certificate of live birth of the adopted individual.

13 Enacting section 1. This amendatory act takes effect 90 days
14 after the date it is enacted into law.

15 Enacting section 2 This amendatory act does not take effect
16 unless Senate Bill No.____ or House Bill No. 5148 (request no.
17 03438'23) of the 102nd Legislature is enacted into law.