

Amended per 5329, D. Pass  
2/28 (p. 707)

FILED FEB 1 1980

SENATE FILE 2114

By COMMITTEE ON HUMAN RESOURCES  
Approved 1/29 (p. 275)

(Formerly Senate Study Bill 2077)

Passed Senate, Date 5-6-80 (p. 336) Passed House, Date 4/8/80 (p. 1409)

Vote: Ayes 45 Nays 0 Vote: Ayes 85 Nays 3

Repassed Senate w/ Approved May 23, 1980  
House amendment 4/14/80 (p. 1409)  
46-0

### A BILL FOR

1 An Act relating to access to certain sealed records for the  
2 purpose of locating county of adoption and to the compilation  
3 and disclosure of certain medical and developmental and  
4 family medical information concerning an adopted person.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section one hundred forty-four point twenty-  
2 four (144.24), Code 1979, is amended to read as follows:

3 144.24 SUBSTITUTING FOR ORIGINAL. When a new certificate  
4 of birth is established, the actual place and date of birth  
5 shall be shown. The certificate shall be substituted for  
6 the original certificate of birth. Thereafter, the original  
7 certificate and the evidence of adoption, paternity,  
8 legitimation or sex change shall not be subject to inspection  
9 except under order of a court of competent jurisdiction or  
10 as provided by regulation for statistical or administrative  
11 purposes, only. However, the state registrar shall, upon  
12 the application of an adult adopted person, an adoptive parent,  
13 or the legal representative of either the adult adopted person  
14 or the adoptive parent, inspect the original certificate and  
15 the evidence of adoption and reveal to the applicant the name  
16 and address of the court which issued the adoption decree.  
17 Upon receipt of notice of annulment of adoption, the original  
18 certificate of birth shall be restored to its place in the  
19 files and the new certificate and evidence shall not be subject  
20 to inspection except upon order of the district court.

21 Sec. 2. Section six hundred point eight (600.8), subsec-  
22 tion four (4), Code 1979, is amended to read as follows:

23 4. A postplacement investigation and a background  
24 information investigation and the reports of these  
25 investigations shall be completed and the reports filed with  
26 the court prior to the holding of the adoption hearing  
27 prescribed in section 600.12. Upon the filing of an adoption  
28 petition pursuant to section 600.5, the court shall immediately  
29 appoint the department, an agency, or an investigator to  
30 conduct ~~this-investigation-and-report~~ and complete the  
31 postplacement and background information investigations and  
32 reports. In addition to filing the background information  
33 report with the court prior to the holding of the adoption  
34 hearing, the department, agency, or investigator appointed  
35 to conduct the background information investigation shall

1 complete the background information investigation and report  
2 and furnish a copy to the adoption petitioner within thirty  
3 days after the filing of the adoption petition. Any person,  
4 including a juvenile court, who has gained relevant background  
5 information concerning a minor person subject to an adoption  
6 petition shall, upon request, fully cooperate with the  
7 conducting of the background information investigation and  
8 report by disclosing any relevant background information,  
9 whether contained in sealed records or not.

10 Sec. 3. Section six hundred point sixteen (600.16), sub-  
11 section one (1), Code 1979, is amended by adding the following  
12 new unnumbered paragraph:

13 NEW UNNUMBERED PARAGRAPH. Information regarding an adopted  
14 person's complete medical and developmental history and family  
15 medical history, which meets the definition of background  
16 information in section six hundred point eight (600.8),  
17 subsection one (1), paragraph c of the Code, but which was  
18 compiled prior to the effective date of that paragraph, shall  
19 be made available as provided in this subsection. The court  
20 shall order the disclosure of this information from court  
21 records or from the records of the department, agency, or  
22 individual making the placement. However, the identity of  
23 the adopted person's natural parents shall not be disclosed.

24 EXPLANATION

25 Section 1 of this bill requires the state registrar to  
26 reveal to an adopted person, an adoptive parent or their legal  
27 representatives the name and address of the court which issued  
28 the adoption decree. This will allow the adopted person or  
29 adoptive parent to petition the correct court for disclosure  
30 of information surrounding the adoption, most specifically  
31 medical and developmental information concerning the adopted  
32 person.

33 Section 2 requires the background information investigation  
34 and report to be completed earlier in time and furnished to  
35 the adoption petitioner within 30 days after the filing of

1 the adoption petition.

2 Section 3 provides for the disclosure pursuant to section  
3 600.16 of the Code of background information compiled before  
4 the effective date of that section.

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SENATE FILE 2114

H-5329

1 Amend Senate File 2114, as passed by the Senate,  
2 as follows:

3 1. Page 2, line 14 by striking the word "complete"  
4 and inserting in lieu thereof the word "existing".

5 2. Page 2, by striking lines 19 through 22 and  
6 inserting in lieu thereof the words "be made available  
7 as provided in this subsection. However, the identity  
8 of".

H-5329 FILED  
FEBRUARY 28, 1980  
*Repealed 4/8 (S. 1408)*

BY COMMITTEE ON HUMAN RESOURCES  
CLARK of Cerro Gordo, Chair

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HOUSE AMENDMENT TO SENATE FILE 2114

S-5697

1 Amend Senate File 2114, as passed by the Senate,  
2 as follows:

3 1. Page 2, line 14 by striking the word "complete"  
4 and inserting in lieu thereof the word "existing".

5 2. Page 2, by striking lines 19 through 22 and  
6 inserting in lieu thereof the words "be made available  
7 as provided in this subsection. However, the identity  
8 of".

S-5697 FILED  
APRIL 10, 1980

RECEIVED FROM THE HOUSE  
*Senate concurred 4/14 (S. 1412)*

SENATE FILE 2114

AN ACT

RELATING TO ACCESS TO CERTAIN SEALED RECORDS FOR THE PURPOSE OF LOCATING COUNTY OF ADOPTION AND TO THE COMPILATION AND DISCLOSURE OF CERTAIN MEDICAL AND DEVELOPMENTAL AND FAMILY MEDICAL INFORMATION CONCERNING AN ADOPTED PERSON.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section one hundred forty-four point twenty-four (144.24), Code 1979, is amended to read as follows:

144.24 SUBSTITUTING FOR ORIGINAL. When a new certificate of birth is established, the actual place and date of birth shall be shown. The certificate shall be substituted for the original certificate of birth. Thereafter, the original certificate and the evidence of adoption, paternity, legitimation or sex change shall not be subject to inspection except under order of a court of competent jurisdiction or as provided by regulation for statistical or administrative purposes, only. However, the state registrar shall, upon the application of an adult adopted person, an adoptive parent,

or the legal representative of either the adult adopted person or the adoptive parent, inspect the original certificate and the evidence of adoption and reveal to the applicant the name and address of the court which issued the adoption decree. Upon receipt of notice of annulment of adoption, the original certificate of birth shall be restored to its place in the files and the new certificate and evidence shall not be subject to inspection except upon order of the district court.

Sec. 2. Section six hundred point eight (600.8), subsection four (4), Code 1979, is amended to read as follows:

4. A postplacement investigation and a background information investigation and the reports of these investigations shall be completed and the reports filed with the court prior to the holding of the adoption hearing prescribed in section 600.12. Upon the filing of an adoption petition pursuant to section 600.5, the court shall immediately appoint the department, an agency, or an investigator to conduct ~~this investigation and report~~ and complete the postplacement and background information investigations and reports. In addition to filing the background information report with the court prior to the holding of the adoption hearing, the department, agency, or investigator appointed to conduct the background information investigation shall complete the background information investigation and report and furnish a copy to the adoption petitioner within thirty days after the filing of the adoption petition. Any person, including a juvenile court, who has gained relevant background information concerning a minor person subject to an adoption petition shall, upon request, fully cooperate with the conducting of the background information investigation and report by disclosing any relevant background information, whether contained in sealed records or not.

Sec. 3. Section six hundred point sixteen (600.16), subsection one (1), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Information regarding an adopted person's existing medical and developmental history and family medical history, which meets the definition of background information in section six hundred point eight (600.8), subsection one (1), paragraph c of the Code, but which was compiled prior to the effective date of that paragraph, shall be made available as provided in this subsection. However, the identity of the adopted person's natural parents shall not be disclosed.

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TERRY E. BRANSTAD  
President of the Senate

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WILLIAM H. HARBOR  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2114, Sixty-eighth General Assembly.

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FRANK J. STORK  
Secretary of the Senate

Approved May 23, 1980

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ROBERT D. RAY  
Governor