

Fiscal Estimate - 2023 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 23-1353/1	Introduction Number SB-0015	
Description access to an original impounded birth record		
Fiscal Effect		
State: <input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs		
Local: <input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts		
Fund Sources Affected Affected Ch. 20 Appropriations <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS		
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Fiscal Estimate Narratives

DCF 2/7/2023

LRB Number	23-1353/1	Introduction Number	SB-0015	Estimate Type	Original
Description access to an original impounded birth record					

Assumptions Used in Arriving at Fiscal Estimate

This bill requires the state registrar to provide an adoptee over the age of 18 whose original birth record has been impounded with unrestricted access to the adoptee's original unaltered birth record and issue the adoptee an uncertified copy of the original unaltered birth record. In doing so, the bill expands access to an adult adoptee's original, impounded birth record. Under current law, this access was only granted with consent of the birth parent(s) via a signed affidavit or if the birth parents(s) are deceased.

Current Wisconsin law provides adult adoptees age 18 or older access to their adoption records. Living birth parents have the option of permitting the release of their identity and contact information to their birth children or choosing to remain anonymous; otherwise with no consent on file, adoptees are eligible to receive social history and non-identifying information about their birth parent(s), such as: general facts about the birth parent(s) and medical history. Adult adoptees also have full access to their adoption records if both parents are deceased. Under current law, approximately 50% of living birth parents contacted via DCF's Adoption Records Search Program (ARSP) decline to release their identities.

This bill modifies current law to remove DCF's role in assisting adoptees in obtaining their impounded birth certificates if they are eligible to receive it. In effect, this bill provides an alternative route for adoptees to obtain the identity of their birth parent(s) (the birth father is not always listed) by providing unrestricted access to their original unaltered birth certificate via the state registrar. The adoptee may still wish to request additional records via the ARSP. Under current law, the ARSP provides a streamlined process for requestors seeking adoption records and information. ARSP staff search specialists are equipped to have sensitive conversations with adult adoptees regarding their eligibility for information and content provided as a result of their request.

The bill also requires the state registrar, when issuing an uncertified copy of an original, impounded birth record, to inform the recipient about current law provisions regarding access to certain information about a person's birth parents. The bill does not change certain restrictions applicable to vital record access in the circumstance of adoptions involving an Indian child.

DCF does not anticipate a change in the total number of requestors for adoption records requests under this bill. DCF would continue to conduct outreach and obtain consent via an affidavit from the birth parent(s) to release any identifying information (including location). This bill does not amend budget or position authority (1.0 FTE) in Chapter 20 related to adoption records searches (see s. 20.437 (1) (jj)) and DCF does not anticipate any change in this workload.

The ARSP generated approximately \$27,000 in revenue in each SFY2020 and SFY2021 from fees collected from birth and adoption records searches. In SFY2022, DCF eliminated the invoicing of adoptees/requestors for staff time spent on search for the records and subsequently generated approximately \$10,600 in revenue. The department currently charges only for expenses related to obtaining those records from the record holding entity. DCF does not anticipate a substantial shift in workload under this bill. However, there are unknowns regarding the number of additional requests for access to original unaltered birth certificates and the impact this may have on DCF's Adoption Records Search Program, including the type of outreach, and assisting requestors with new process changes under this bill. Thus, the fiscal estimate is indeterminate.

Long-Range Fiscal Implications