



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-0469/1  
TJD/EHS/GMM/KRP:wj/emw/klm

## 2015 ASSEMBLY BILL 650

January 7, 2016 - Introduced by Representatives TITTL, ALLEN, E. BROOKS, CONSIDINE, HORLACHER, JACQUE, T. LARSON, NOVAK and VORPAGEL. Referred to Committee on Children and Families.

1       **AN ACT** *to repeal* 48.433 (3) (a), 48.433 (5) (b), 48.433 (7) (e), 48.433 (8) (a) 2. and  
2           48.433 (8) (b); *to renumber and amend* 48.433 (2), 69.14 (3) (c) and 69.15 (6)  
3           (b); *to consolidate, renumber and amend* 48.433 (3) (intro.) and (b), 48.433  
4           (5) (intro.) and (a) and 48.433 (8) (a) (intro.) and 1.; *to amend* 48.432 (2) (a),  
5           48.432 (4) (a), 48.433 (title), 48.433 (6) (a), 48.433 (7) (a) 3., 48.433 (7) (b), 48.433  
6           (7) (c), 48.433 (7) (d), 48.433 (7) (f), 48.433 (8m) and 69.21 (2) (c); and *to create*  
7           48.432 (3) (a) 4m., 48.433 (2) (b), (c) and (d), 48.433 (8r), 69.14 (3) (c) 3., 69.15  
8           (6) (b) 4. and 69.21 (2) (bm) of the statutes; **relating to:** contact preference  
9           forms for birth parents whose parental rights have been terminated in this  
10          state; access by such a birth parent to identifying information about his or her  
11          child or an offspring of that child; access to medical and genetic information

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- 1           about such a birth parent; and access by an adult adoptee or an adult born to  
2           a surrogate mother to his or her original birth certificate.
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***Analysis by the Legislative Reference Bureau******Introduction***

This bill 1) permits a birth parent whose parental rights have been terminated in this state to file with the Department of Children and Families (DCF) a form designating the birth parent's preference with regard to being contacted by a person who was his or her child or who is an offspring of that person (contact preference form); 2) permits a person 18 years of age or over whose birth parent's parental rights have been terminated in this state or an offspring of that person, if 18 years of age or over, to file a contact authorization form with DCF authorizing DCF to provide the person's birth parent with identifying information about the person or offspring; 3) makes certain changes with regard to access to medical and genetic information about such a birth parent; and 4) makes certain changes with regard to access by an adult adoptee or an adult who was born to a surrogate mother to his or her original birth certificate.

***Contact preference forms***

Under current law, DCF administers an adoption search program under which a person 18 years of age or over whose birth parent's parental rights have been terminated in this state may request DCF to provide the person with any information that is available to DCF regarding the identity and location of the person's birth parents. DCF may provide the identity and location of a birth parent only if DCF has on file an unrevoked affidavit from each known birth parent authorizing DCF to disclose that information. If DCF does not have on file an unrevoked affidavit from each known birth parent, DCF must search for each birth parent who has not filed an affidavit and, upon locating a birth parent, must give the birth parent an opportunity to file an affidavit. If a known birth parent cannot be located, DCF may disclose the identity and location of that birth parent if the other birth parent has filed an unrevoked affidavit. If a birth parent who has not filed an affidavit is known to be deceased, DCF may not provide the identity of that birth parent but may provide the identity and location of the other birth parent if the other birth parent has filed an unrevoked affidavit and if one year has elapsed since the death of the deceased birth parent.

This bill replaces the affidavit authorizing DCF to disclose the identity and location of a birth parent with a contact preference form prescribed by DCF that allows a birth parent to designate one of the following preferences with regard to whether the birth parent wishes to be contacted: 1) "I would like to be contacted by my child or by an offspring of my child."; 2) "I would prefer to be contacted only through an intermediary."; or 3) "I would prefer not to be contacted by my child or by an offspring of my child at this time." DCF may then provide the identity and location of a birth parent to a person 18 years of age or over who was a child of the birth parent or is an offspring of that person if DCF has on file a contact preference form from the

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birth parent indicating that the parent wishes to be contacted or that one birth parent wishes to be contacted.

The bill also 1) permits a birth parent, when filing a contact preference form, to simultaneously file any relevant medical and genetic information about the birth parent and his or her child, which information DCF may disclose without disclosing any identifying information about the birth parent; 2) requires DCF to disclose the identity of a birth parent who is known to be deceased; 3) in a case in which one birth parent is deceased and the other birth parent has filed a contact preference form indicating that he or she wishes to be contacted, eliminates the requirement that one year must have elapsed since the death of the deceased birth parent before DCF may provide the identity and location of the other birth parent; and 4) in a case in which a birth parent has filed a contact preference form indicating that he or she does not wish to be contacted, requires DCF to contact the birth parent again after at least 12 months have elapsed to determine whether the birth parent's preference has changed.

***Access to identifying information***

Current law does not include a comparable procedure under which a birth parent may obtain identifying information about a person who was his or her child or who is an offspring of that person. This bill establishes such a procedure.

Specifically, the bill 1) permits any person 18 years of age or over whose birth parent's parental rights have been terminated in this state or an offspring of that person, if 18 years of age or over, to file with DCF a contact authorization form authorizing DCF to provide the person's birth parent with any available information about the identity and location of the person or offspring; 2) permits any birth parent whose parental rights have been terminated in this state to request DCF to provide the birth parent with any available information about the identity and location of any person 18 years of age or over who was his or her child or is an offspring of that person; 3) requires DCF to disclose the requested information if DCF has on file an unrevoked contact authorization form authorizing that disclosure; and 4) in a case in which DCF does not have on file an unrevoked contact authorization form from each person 18 years of age or over who was a child of the requester or is an offspring of that person, requires DCF to search for each such child or offspring who has not filed that form and, upon locating such a child or offspring, give the child or offspring an opportunity to file that form.

***Access to medical and genetic information***

Under current law, any birth parent whose parental rights have been terminated in this state may file with DCF any relevant medical or genetic information about the birth parent or his or her child and DCF must disclose that information on the request of the child, if 18 years of age or over; the adoptive parent, guardian, or legal custodian of the child; any offspring of the child, if 18 years of age or over; or any agency or social worker who is providing services to the child. If DCF does not have that information on file, the requester may request DCF to conduct a search for the birth parents to obtain that information. Such a request must be accompanied by a statement from a physician certifying either that the child has or

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may have acquired a genetically transferable disease or that the child's medical condition requires access to the information (physician's statement).

This bill eliminates the requirement that a birth parent search request be accompanied by a physician's statement. The bill also permits the parent, guardian, or legal custodian of an offspring of a person whose birth parent's parental rights have been terminated in this state to request medical and genetic information about that person or his or her birth parents if that person is deceased and the offspring is under 18 years of age.

***Access to original birth certificate***

Generally, under current law, if the state registrar receives a court or administrative order providing for an adoption, the state registrar must prepare a new birth certificate for the subject of the adoption unless the adoptive parents or the adoptee requests that no new certificate be prepared. The new certificate must show certain information including the names and personal information of the adoptive parents and must show the hospital and time of birth as unknown. The state registrar must impound the original birth certificate and all related materials and may generally not provide access to them, except when authorized by the birth parent in an affidavit prepared using the procedure under current law that is described above.

Also under current law, a person who assumes custody of an infant of unknown parentage must file a birth certificate (foundling birth certificate) for the infant containing certain information about the infant. If the infant is later adopted and the adoptive parents sign a birth record giving their names as the adoptive parents, the state registrar must impound the foundling birth certificate and may generally not provide access to it.

The bill deletes the provision providing for access to an adoptee's original, impounded birth certificate when access has been granted by the birth parent in an affidavit. The bill instead requires the state registrar to issue an uncertified copy of an original, impounded birth certificate to an adoptee upon request if the adoptee is the subject of that birth certificate and is at least 18 years old. The bill also requires the state registrar to issue an uncertified copy of a foundling birth certificate to an adoptee who was an infant of unknown parentage upon request if the adoptee is the subject of the foundling birth certificate and is at least 18 years old. Finally, the bill requires the state registrar to issue an uncertified copy of an original, impounded birth certificate that was prepared for an individual who was born to a surrogate mother, if such a birth certificate was prepared with the surrogate mother's information, to that individual upon request if that individual is the subject of that birth certificate and is at least 18 years old.

The bill also requires the state registrar, when issuing an uncertified copy of an original, impounded birth certificate or a foundling birth certificate to an adoptee, to inform the adoptee about provisions relating to access to adoptees' medical information and about the adoption search program and the filing of contact preference forms.

Finally, the bill requires the Department of Health Services (DHS) to collect statistics on the number of requests made for uncertified copies of original,

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impounded birth certificates and foundling birth certificates by adoptees and requires DHS to publish reports summarizing the statistics collected. The bill prohibits DHS, in publishing these reports, from disclosing any information that reveals the identity of a birth parent.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 48.432 (2) (a) of the statutes is amended to read:

2           48.432 (2) (a) The department, or agency contracted with under sub. (9), shall  
3 maintain all information obtained under s. 48.427 (6) (b) or 48.433 (2) (a) in a  
4 centralized birth record file.

5           **SECTION 2.** 48.432 (3) (a) 4m. of the statutes is created to read:

6           48.432 (3) (a) 4m. The parent, guardian, or legal custodian of an offspring of  
7 a deceased individual or adoptee, if the offspring is under 18 years of age.

8           **SECTION 3.** 48.432 (4) (a) of the statutes is amended to read:

9           48.432 (4) (a) Whenever any person specified under sub. (3) wishes to obtain  
10 medical and genetic information about an individual whose birth parent's rights  
11 have been terminated in this state at any time, or whose birth parent consented to  
12 his or her adoption before February 1, 1982, or medical and genetic information  
13 about the birth parents of such an individual or adoptee, and the information is not  
14 on file with the department, or agency contracted with under sub. (9), the person may  
15 request that the department or agency conduct a search for the birth parents to  
16 obtain the information. ~~The request shall be accompanied by a statement from a~~  
17 ~~physician certifying either that the individual or adoptee has or may have acquired~~  
18 ~~a genetically transferable disease or that the individual's or adoptee's medical~~  
19 ~~condition requires access to the information.~~

**ASSEMBLY BILL 650****SECTION 4**

1           **SECTION 4.** 48.433 (title) of the statutes is amended to read:

2           **48.433 (title) Access to identifying information about parents.**

3           **SECTION 5.** 48.433 (2) of the statutes is renumbered 48.433 (2) (a) and amended  
4 to read:

5           48.433 (2) (a) Any birth parent whose rights have been terminated in this state  
6 at any time, or who has consented to the adoption of his or her child in this state  
7 before February 1, 1982, may file with the department, or agency contracted with  
8 under sub. (11), ~~an affidavit authorizing the department or agency to provide the~~  
9 ~~child with his or her original birth certificate and with any other available~~  
10 ~~information about the birth parent's identity and location. An affidavit filed under~~  
11 ~~this subsection may be revoked~~ a contact preference form that designates one of the  
12 preferences specified in par. (b) 1., 2., or 3. When filing a contact preference form,  
13 a birth parent may also simultaneously file the medical and genetic information  
14 specified in s. 48.432 (2) (b). The department shall maintain any contact preference  
15 form and medical and genetic information filed under this paragraph in the  
16 centralized birth record file under s. 48.432 (2). A birth parent may amend a contact  
17 preference form at any time by filing a new contact preference form or may revoke  
18 a contact preference form at any time by notifying the department or agency in  
19 writing.

20           **SECTION 6.** 48.433 (2) (b), (c) and (d) of the statutes are created to read:

21           48.433 (2) (b) The department shall prescribe a contact preference form that  
22 allows a birth parent whose rights have been terminated in this state at any time,  
23 or who has consented to the adoption of his or her child in this state before February  
24 1, 1982, to designate one of the following preferences:

25           1. "I would like to be contacted by my child or by an offspring of my child."

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1           2. "I would prefer to be contacted only through an intermediary."

2           3. "I would prefer not to be contacted by my child or by an offspring of my child  
3 at this time."

4           (c) The contact preference form shall also contain a space for a birth parent who  
5 wishes to be contacted to designate the method or methods by which the birth parent  
6 wishes to be contacted and to provide contact information for the birth parent or  
7 intermediary.

8           (d) The department shall collect statistics on the number of contact preference  
9 forms filed or revoked under par. (a), categorized by the preferences under par. (b)  
10 1. to 3. chosen, and shall publish, on an annual basis or more often at the discretion  
11 of the department, reports summarizing those statistics collected. In publishing  
12 reports under this paragraph, the department may not disclose any information that  
13 reveals the identity of a birth parent.

14           **SECTION 7.** 48.433 (3) (intro.) and (b) of the statutes are consolidated,  
15 renumbered 48.433 (3) and amended to read:

16           48.433 (3) Any person 18 years of age or over whose birth parent's rights have  
17 been terminated in this state or who has been adopted in this state with the consent  
18 of his or her birth parent or parents before February 1, 1982, or any offspring of that  
19 person, if 18 years of age or over, may request the department, or agency contracted  
20 with under sub. (11), to provide the person or offspring with the following: ~~(b) Any~~  
21 any available information regarding the identity and location of his ~~or her~~ the  
22 person's birth parents.

23           **SECTION 8.** 48.433 (3) (a) of the statutes is repealed.

24           **SECTION 9.** 48.433 (5) (intro.) and (a) of the statutes are consolidated,  
25 renumbered 48.433 (5) and amended to read:

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1           48.433 (5) The department, or agency contracted with under sub. (11), shall  
2 disclose the requested information in either of the following circumstances: (a) The  
3 to the requester any available information regarding the identity and location of a  
4 birth parent if the department, or agency contracted with under sub. (11), has on file  
5 an unrevoked affidavits contact preference form filed under sub. (2) (a) from both the  
6 birth parents parent indicating that the birth parent wishes to be contacted.

7           **SECTION 10.** 48.433 (5) (b) of the statutes is repealed.

8           **SECTION 11.** 48.433 (6) (a) of the statutes is amended to read:

9           48.433 (6) (a) If the department, or agency contracted with under sub. (11), does  
10 not have on file ~~an affidavit~~ a contact preference form from each known birth parent,  
11 ~~it the department or agency shall,~~ within 3 months after the date of the original  
12 request, undertake a diligent search for each birth parent who has not filed an  
13 ~~affidavit~~ a contact preference form. The search shall be completed within 6 months  
14 after the date of the request, unless the search falls within one of the exceptions  
15 established by the department by rule. If any information has been provided under  
16 sub. (5), the department or agency is not required to conduct a search.

17           **SECTION 12.** 48.433 (7) (a) 3. of the statutes is amended to read:

18           48.433 (7) (a) 3. The fact that the birth parent has the right to file with the  
19 department ~~the affidavit~~ a contact preference form under sub. (2) (a).

20           **SECTION 13.** 48.433 (7) (b) of the statutes is amended to read:

21           48.433 (7) (b) Within 3 working days after contacting a birth parent, the  
22 department, or agency contracted with under sub. (11), shall send the birth parent  
23 a written copy of the information specified under par. (a) and a blank copy of the  
24 ~~affidavit~~ contact preference form.

25           **SECTION 14.** 48.433 (7) (c) of the statutes is amended to read:



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1           48.433 (7) (c) If the birth parent files ~~the affidavit~~ a contact preference form,  
2           the department, or agency contracted with under sub. (11), shall disclose the  
3           requested information if permitted under sub. (5).

4           **SECTION 15.** 48.433 (7) (d) of the statutes is amended to read:

5           48.433 (7) (d) If the department or an agency has contacted a birth parent  
6           under this subsection, and the birth parent does not file ~~the affidavit~~ a contact  
7           preference form, or if after a search under this subsection, a known birth parent  
8           cannot be located, the department or agency may not disclose the requested  
9           information about that birth parent.

10          **SECTION 16.** 48.433 (7) (e) of the statutes is repealed.

11          **SECTION 17.** 48.433 (7) (f) of the statutes is amended to read:

12          48.433 (7) (f) The department or agency conducting a search under this  
13          subsection may not contact a birth parent again on behalf of the same requester until  
14          at least 12 months after the date of the previous contact. If a birth parent has filed  
15          a contact preference form indicating that he or she does not wish to be contacted and  
16          if at least 12 months have elapsed since the filing of that contact preference form, the  
17          department or agency shall contact the birth parent again on behalf of the requester  
18          to determine whether the birth parent's preference has changed. Further contacts  
19          with a birth parent under this subsection on behalf of the same requester may be  
20          made only if 5 years have elapsed since the date of the last contact.

21          **SECTION 18.** 48.433 (8) (a) (intro.) and 1. of the statutes are consolidated,  
22          renumbered 48.433 (8) and amended to read:

23          48.433 (8) If ~~a birth parent is~~ one or both birth parents are known to be dead  
24          and has not filed an unrevoked affidavit under sub. (2) deceased, the department, or  
25          agency contracted with under sub. (11), shall so inform the requester.—~~The~~

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1 ~~department or agency may not~~ and shall provide the requester with ~~his or her~~  
2 ~~original birth certificate or with the identity of that parent, but~~ all deceased birth  
3 parents. In a case in which one birth parent is known to be deceased, the department  
4 or agency shall also provide the requester with any available information it has on  
5 file regarding the identity and location of the other birth parent if ~~both of the~~  
6 ~~following conditions exist:~~ 1. ~~The~~ the other birth parent has filed an unrevoked  
7 affidavit contact preference form under sub. (2) (a) indicating that the birth parent  
8 wishes to be contacted.

9 **SECTION 19.** 48.433 (8) (a) 2. of the statutes is repealed.

10 **SECTION 20.** 48.433 (8) (b) of the statutes is repealed.

11 **SECTION 21.** 48.433 (8m) of the statutes is amended to read:

12 48.433 **(8m)** If the department, or agency contracted with under sub. (11), may  
13 not disclose the information requested under ~~this section~~ sub. (3), it shall provide the  
14 requester with any nonidentifying social history information about either of the  
15 birth parents that it has on file.

16 **SECTION 22.** 48.433 (8r) of the statutes is created to read:

17 48.433 **(8r)** (a) Any person 18 years of age or over whose birth parent's rights  
18 have been terminated in this state or who has been adopted in this state with the  
19 consent of his or her birth parent or parents before February 1, 1982, or any offspring  
20 of that person, if 18 years of age or over, may file with the department, or agency  
21 contracted with under sub. (11), a contact authorization form authorizing the  
22 department or agency to provide the person's birth parent with any available  
23 information about the identity and location of the person or offspring. A contact  
24 authorization form filed under this subsection may be revoked at any time by  
25 notifying the department or agency in writing.

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1           (b) Any birth parent whose rights have been terminated in this state at any  
2 time, or who has consented to the adoption of his or her child in this state before  
3 February 1, 1982, may request the department, or agency contracted with under sub.  
4 (11), to provide the birth parent with any available information about the identity  
5 and location of any person 18 years of age or over who was his or her child or of any  
6 offspring of that person, if 18 years of age or over. Before acting on the request, the  
7 department or agency shall require the requester to provide adequate identification.

8           (c) The department, or agency contracted with under sub. (11), shall disclose  
9 the information requested under par. (b) if the department or agency has on file an  
10 unrevoked contact authorization form filed under par. (a) by a person 18 years of age  
11 or over who was a child of the requester or who is an offspring of a child of the  
12 requester. In disclosing information under this paragraph, the department or  
13 agency may not disclose any information that would reveal the identity or location  
14 of a birth parent other than the birth parent requesting the information.

15           (d) 1. If the department, or agency contracted with under sub. (11), does not  
16 have on file a contact authorization form from a person 18 years of age or over who  
17 was a child of the requester or who is an offspring of a child of the requester, the  
18 department or agency shall, within 3 months after the date of the original request,  
19 undertake a diligent search for each such child or offspring who has not filed a  
20 contact authorization form. The search shall be completed within 6 months after the  
21 date of the request, unless the search falls within one of the exceptions established  
22 by the department by rule. If any information has been provided under par. (a), the  
23 department or agency is not required to conduct a search.

24           2. Upon locating a person 18 years of age or over who was a child of the  
25 requester or who is an offspring of a child of the requester, the department or agency

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1 conducting the search shall make at least one verbal contact with that person and  
2 notify him or her of the nature of the information requested, the date of the request,  
3 and the fact that he or she may file with the department or agency the contact  
4 authorization form under par. (a).

5 3. Within 3 working days after contacting a person 18 years of age or over who  
6 was a child of the requester or who is an offspring of a child of the requester, the  
7 department or agency shall send the person a written copy of the information  
8 specified under subd. 2. and a blank copy of the contact authorization form. If the  
9 person files the contact authorization form, the department or agency shall disclose  
10 the requested information. If the department or an agency contacts a person under  
11 this subsection and the person does not file the contact authorization form, the  
12 department may not disclose the requested information.

13 4. Employees of the department and any agency conducting a search under this  
14 paragraph may not inform any person other than a person who is a subject of the  
15 search of the purpose of the search.

16 5. The department or agency shall charge the requester a reasonable fee for the  
17 cost of the search. When the department or agency determines that the fee will  
18 exceed \$100 for any person 18 years of age or over who was a child of the requester  
19 or who is an offspring of a child of the requester, the department or agency shall notify  
20 the requester. No fee in excess of \$100 per search subject may be charged unless the  
21 requester, after receiving notification under this subdivision, has given consent to  
22 proceed with the search.

23 6. The department or agency conducting a search under this paragraph may  
24 not contact a person again on behalf of the same requester until at least 12 months  
25 after the date of the previous contact. If a person contacted under this paragraph

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1 does not file a contact authorization form and if at least 12 months have elapsed since  
2 the date of the last contact, the department or agency shall contact the person again  
3 on behalf of the requester to determine whether the person wishes to file that form.  
4 Further contacts with a person under this paragraph on behalf of the same requester  
5 may be made only if 5 years have elapsed since the date of the last contact.

6 (e) If the department, or agency contracted with under sub. (11), may not  
7 disclose the information requested under par. (b), it shall provide the requester with  
8 any nonidentifying social history information about any person who was a child of  
9 the requester or who is an offspring of a child of the requester that it has on file.

10 **SECTION 23.** 69.14 (3) (c) of the statutes is renumbered 69.14 (3) (c) (intro.) and  
11 amended to read:

12 69.14 (3) (c) (intro.) If at any time after a birth certificate is filed for a registrant  
13 under this subsection a birth certificate filed for the registrant at the time of birth  
14 of the registrant is found or the registrant is adopted and the adoptive parents sign  
15 a birth record giving their names as the adoptive parents, the state registrar shall  
16 impound the birth certificate filed under this subsection and prohibit access to that  
17 certificate, except by under any of the following circumstances:

- 18 1. In response to a court order or except by.  
19 2. To the state registrar for processing purposes.

20 **SECTION 24.** 69.14 (3) (c) 3. of the statutes is created to read:

21 69.14 (3) (c) 3. Providing an uncertified copy of the certificate to the registrant  
22 in accordance with s. 69.21 (2) (bm).

23 **SECTION 25.** 69.15 (6) (b) of the statutes is renumbered 69.15 (6) (b) (intro.) and  
24 amended to read:

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1           69.15 (6) (b) (intro.) The state registrar shall register a new certificate created  
2 under this section and shall impound the original certificate or the certificate  
3 registered under sub. (5) and all correspondence, affidavits, court orders and other  
4 related materials and prohibit access to those materials, except by under any of the  
5 following circumstances:

6           1. In response to a court order or except by.

7           2. To the state registrar for processing purposes or except when.

8           3. A disclosure authorized under ss. s. 48.432 and 48.433.

9           **(bm)** The state registrar shall send a copy of any new certificate registered  
10 under this section to the local registrar who filed the original of the replaced  
11 certificate. Upon receipt of the copy, the local registrar shall destroy his or her copy  
12 of the replaced certificate and file the new certificate.

13           **SECTION 26.** 69.15 (6) (b) 4. of the statutes is created to read:

14           69.15 (6) (b) 4. Providing an uncertified copy of the certificate to the registrant  
15 in accordance with s. 69.21 (2) (bm).

16           **SECTION 27.** 69.21 (2) (bm) of the statutes is created to read:

17           69.21 (2) (bm) 1. On the written request of a registrant and on payment of the  
18 fee required under s. 69.22, the state registrar shall issue an uncertified copy of a  
19 birth certificate that was impounded under s. 69.14 (3) (c) or 69.15 (6) (b) to the  
20 registrant if all of the following apply to the registrant:

21           a. The registrant is 18 years of age or older.

22           b. The registrant's birth parent's rights have been terminated in this state; the  
23 registrant has been adopted in this state with the consent of his or her birth parent  
24 or parents before February 1, 1982; the registrant was adopted after a birth  
25 certificate was originally filed for the registrant under s. 69.14 (3); or a court

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1 determined parental rights over a registrant born to a surrogate mother, as provided  
2 in s. 69.14 (1) (h).

3 2. When issuing an uncertified copy of a birth certificate to an adoptee under  
4 subd. 1., the state registrar shall inform the registrant of the provisions of ss. 48.432  
5 and 48.433.

6 3. The department shall collect statistics on the number of requests made for  
7 uncertified copies of birth certificates under subd. 1. and the number of such requests  
8 fulfilled and shall publish, on an annual basis or more often at the discretion of the  
9 department, reports summarizing those statistics collected. In publishing reports  
10 under this subdivision, the department may not disclose any information that  
11 reveals the identity of a birth parent.

12 **SECTION 28.** 69.21 (2) (c) of the statutes is amended to read:

13 69.21 (2) (c) Any uncertified copy issued under par. (a) ~~or~~, (b), or (bm) shall have  
14 on its face a notice that it is uncertified.

15 **SECTION 29. Nonstatutory provisions.**

16 (1) CONTACT PREFERENCE FORMS. An unrevoked affidavit filed under section  
17 48.433 (2) of the statutes before the effective date of this subsection shall be  
18 construed as a contact preference form under section 48.433 (2) (a) of the statutes,  
19 as affected by this act, indicating that the person filing the affidavit would like to be  
20 contacted by a person described in section 48.433 (3) of the statutes, as affected by  
21 this act.

22 (2) CONTACT PREFERENCE FORMS AND ORIGINAL BIRTH CERTIFICATES; NOTICE. Prior  
23 to the date specified in SECTION 31 (1) (intro.) of this act, the department of children  
24 and families shall inform and educate birth parents, as defined in section 48.432 (1)  
25 (am) of the statutes, adoptees, as defined in section 48.432 (1) (a) of the statutes,

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1 individuals, as defined in section 48.432 (1) (b) of the statutes, the adoptive parents,  
2 guardians, legal custodians, and offspring of those adoptees and individuals, and the  
3 general public of the provisions of this act by doing all of the following:

4 (a) Publishing in the official state newspaper designated under section 985.04  
5 of the statutes and mailing to all birth parents who have filed unrevoked affidavits  
6 under section 48.433 (2), 2013 stats., a notice informing birth parents that they may  
7 file a contact preference form as provided in section 48.433 (2) (a) of the statutes, as  
8 affected by this act. The notice shall advise that the department shall make a blank  
9 contact preference form available to anyone on request, that the filing of a contact  
10 preference form is optional on the part of a birth parent, that a contact preference  
11 form may be amended or revoked at any time, and that a contact preference form  
12 expresses the preference of a birth parent and is not binding on an adoptee or  
13 individual.

14 (b) Publishing in the official state newspaper designated under section 985.04  
15 of the statutes notice that an adult adoptee or an adult individual born to a surrogate  
16 mother may obtain an uncertified copy of his or her original birth certificate by  
17 submitting a written request to the state registrar of vital statistics. The notice shall  
18 also provide information about the fees under section 69.22 of the statutes for issuing  
19 an uncertified copy of a birth certificate.

20 (c) Otherwise publicizing the information specified in paragraphs (a) and (b)  
21 throughout the state by placing advertisements in newspapers, on television, on the  
22 radio, and in similar communications media and by posting that information on the  
23 department's Internet site.

24 **SECTION 30. Initial applicability.**



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1           (1) ORIGINAL BIRTH CERTIFICATES. The treatment of section 69.21 (2) (bm) and  
2           (c) of the statutes, the renumbering and amendment of sections 69.14 (3) (c) and  
3           69.15 (6) (b) of the statutes, and the creation of sections 69.14 (3) (c) 3. and 69.15 (6)  
4           (b) 4. of the statutes first apply to a request made for an uncertified copy of a birth  
5           certificate on the effective date of this subsection, regardless of whether the birth  
6           parent's parental rights to the requester were terminated, the birth parent  
7           consented to the adoption of the requester, the requester was adopted, or parental  
8           rights to the requester were determined prior to the effective date of this subsection.

9           (2) CONTACT PREFERENCE FORMS. The treatment of sections 48.432 (2) (a) and  
10          48.433 (title), (5) (intro.), (a), and (b), (6) (a), (7) (a) 3., (b), (c), (d), (e), and (f), (8) (a),  
11          and (8m) of the statutes, the renumbering and amendment of section 48.433 (2) of  
12          the statutes, and the creation of section 48.433 (2) (b) and (c) of the statutes first  
13          apply to a request for identifying information about a birth parent, as defined in  
14          section 48.432 (1) (am) of the statutes, made on the effective date of this subsection,  
15          regardless of whether the birth parent's parental rights to the requester were  
16          terminated or the birth parent consented to the adoption of the requester prior to the  
17          effective date of this subsection.

18          (3) ACCESS TO IDENTIFYING INFORMATION. The treatment of section 48.433 (8r) of  
19          the statutes first applies to a request by a birth parent, as defined in section 48.432  
20          (1) (am) of the statutes, for identifying information about a person 18 years of age or  
21          over who was his or her child or who is an offspring of his or her child made on the  
22          effective date of this subsection, regardless of whether the birth parent's parental  
23          rights to the person were terminated or the birth parent consented to the adoption  
24          of the person prior to the effective date of this subsection.

