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|--------------------|---------------------|
| PREVAILED          | Roll Call No. _____ |
| FAILED             | Ayes _____          |
| WITHDRAWN          | Noes _____          |
| RULED OUT OF ORDER |                     |

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1201 be amended to read as follows:

- 1 Page 3, line 42, delete "The" and insert "**The**".
- 2 Page 9, line 3, delete "If" and insert "**Except as provided under**
- 3 **subsection (c), if**".
- 4 Page 9, between lines 10 and 11, begin a new paragraph and insert:
- 5 "**(c) The state registrar, the department, a county office of**
- 6 **family and children, a licensed child placing agency, a professional**
- 7 **health care provider, an attorney, and a court may not release**
- 8 **identifying information under this chapter if the request for the**
- 9 **release of identifying information involves an adoptee to whom**
- 10 **both of the following apply:**
- 11 (1) **The adoptee is less than twenty-one (21) years of age.**
- 12 (2) **The adoptee's name is on the list provided to the state**
- 13 **department of health under IC 31-25-2-22.**
- 14 (d) **A licensed child placing agency, a professional health care**
- 15 **provider, an attorney, and a court:**
- 16 (1) **may request that the state department of health search the**
- 17 **list provided under IC 31-25-2-22 to determine whether an**
- 18 **adoptee's name is on the list; and**
- 19 (2) **shall, at the time of the request, provide:**
- 20 (A) **the name of the adoptee at the time parental rights**
- 21 **were terminated; and**
- 22 (B) **an affidavit under penalty of perjury affirming that the**
- 23 **licensed child placing agency, professional health care**
- 24 **provider, attorney, or court is seeking information**

1            regarding the adoptee for the purpose of providing  
2            identifying information under this chapter.

3            (e) Not later than five (5) days after the state department of  
4            health receives a request and an affidavit under subsection (d), the  
5            state department of health shall submit an affidavit to the child  
6            placing agency, professional health care provider, attorney, or  
7            court verifying whether the adoptee's name is on the list provided  
8            to the state department of health under IC 31-25-2-22."

9            Page 9, line 33, delete "an" and insert "the".

10          Page 10, line 11, delete "the".

11          Page 10, between lines 28 and 29, begin a new paragraph and insert:

12          "SECTION 33. IC 31-19-22-7.5 IS ADDED TO THE INDIANA  
13          CODE AS A NEW SECTION TO READ AS FOLLOWS  
14          [EFFECTIVE JULY 1, 2011]: **Sec. 7.5. An attorney, a licensed child**  
15          **placing agency, and a county office of family and children may not**  
16          **contact an adoptee, a birth parent, or an adoptive parent or**  
17          **disclose identifying information upon a request under section 7 of**  
18          **this chapter if the request involves an adoptee to whom both of the**  
19          **following apply:**

20                  (1) The adoptee is less than twenty-one (21) years of age.

21                  (2) The adoptee's name is on the list provided to the state  
22                  department of health under IC 31-25-2-22."

23          Page 10, line 31, delete "Subject" and insert "Except as provided  
24          in section 7.5 of this chapter and subject".

25          Page 11, line 7, delete ":" and insert ";".

26          Page 13, line 14, reset in roman ";".

27          Page 14, line 17, after "adoptees" reset in roman ";".

28          Page 16, line 1, delete "If" and insert "(a) Except as provided in  
29          subsection (b), if".

30          Page 16, between lines 9 and 10, begin a new paragraph and insert:

31          "(b) The state registrar, the department, a county office of  
32          family and children, a licensed child placing agency, a professional  
33          health care provider, an attorney, and a court may not release  
34          identifying information under this chapter if the request for the  
35          release of identifying information involves an adoptee to whom  
36          both of the following apply:

37                  (1) The adoptee is less than twenty-one (21) years of age.

38                  (2) The adoptee's name is on the list provided to the state  
39                  department of health under IC 31-25-2-22.

40          (c) A licensed child placing agency, a professional health care  
41          provider, an attorney, and a court:

42                  (1) may request that the state department of health search the  
43                  list provided under IC 31-25-2-22 to determine whether an  
44                  adoptee's name is on the list; and

45                  (2) shall, at the time of the request, provide:

46                          (A) the name of the adoptee at the time parental rights  
47                          were terminated; and

1           **(B) an affidavit under penalty of perjury affirming that the**  
 2           **licensed child placing agency, professional health care**  
 3           **provider, attorney, or court is seeking information**  
 4           **regarding the adoptee for the purpose of providing**  
 5           **identifying information under this chapter.**

6           **(d) Not later than five (5) days after the state department of**  
 7           **health receives a request and affidavit under subsection (c), the**  
 8           **state department of health shall submit an affidavit to the child**  
 9           **placing agency, professional health care provider, attorney, or**  
 10           **court verifying whether the adoptee's name is on the list provided**  
 11           **under IC 31-25-2-22."**

12           Page 18, line 2, delete "," and insert ";".

13           Page 19, between lines 8 and 9, begin a new paragraph and insert:  
 14           "SECTION 51. IC 31-19-25-18.5 IS ADDED TO THE INDIANA  
 15           CODE AS A **NEW SECTION TO READ AS FOLLOWS**  
 16           **[EFFECTIVE JULY 1, 2011]: Sec. 18.5. An attorney, a licensed child**  
 17           **placing agency, and a county office of family and children may not**  
 18           **contact an adoptee, a birth parent, or an adoptive parent or**  
 19           **disclose identifying information upon a request under section 18 of**  
 20           **this chapter if the request involves an adoptee to whom both of the**  
 21           **following apply:**

22                   **(1) The adoptee is less than twenty-one (21) years of age.**

23                   **(2) The adoptee's name is on the list provided to the state**  
 24                   **department of health under IC 31-25-2-22."**

25           Page 19, line 11, delete "Subject" and insert "**Except as provided**  
 26           **in section 18.5 of this chapter and subject"**.

27           Page 19, line 15, delete "who:" and insert ":".

28           Page 19, line 16, after "(1)" insert "**if the adoptee"**.

29           Page 19, line 16, after "age" insert ",".

30           Page 19, line 18, after "(2)" insert "**if the adoptee"**.

31           Page 19, line 18, after "age" insert ",".

32           Page 21, line 29, delete "An" and insert "**The"**.

33           Page 22, line 33, after "(g)" insert ",".

34           Page 23, line 33, delete "a" and insert "**the"**.

35           Page 23, line 42, delete "an" and insert "**the"**.

36           Page 24, line 16, delete "of the adoptee." and insert ".".

37           Page 24, line 17, delete "a" and insert "**the"**.

38           Page 24, line 18, delete "who".

39           Page 24, line 19, after "age" insert "**and"**.

40           Page 25, line 7, delete "a statement to withdrawal" and insert "**to the**  
 41           **state registrar a statement signed by the person withdrawing"**.

42           Page 25, line 7, after "consent" insert ".".

43           Page 25, delete line 8.

44           Page 25, line 10, after "consent" insert "**under this chapter"**.

45           Page 25, between lines 14 and 15, begin a new paragraph and insert:  
 46           "SECTION 56. IC 31-25-2-22 IS ADDED TO THE INDIANA

1 CODE AS A NEW SECTION TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2011]: **Sec. 22. (a) The department shall, at**  
3 **least one (1) time each month, provide to the state department of**  
4 **health a list of the names of all of the children to whom both of the**  
5 **following apply:**  
6 (1) **The birth parent of the child had the birth parent's**  
7 **parental rights terminated under IC 31-35-1 or IC 31-35-2**  
8 **while a child in need of services proceeding concerning the**  
9 **child was pending.**  
10 (2) **The child is less than twenty-one (21) years of age.**  
11 (b) **The department shall provide the list described under**  
12 **subsection (a) through electronic means agreed to by the**  
13 **department and the state department of health."**  
14 Renumber all SECTIONS consecutively.  
(Reference is to HB 1201 as printed January 28, 2011.)

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Representative Karickhoff