

Adopted	Rejected
---------	----------

COMMITTEE REPORT

YES: 10
NO: 0

MR. SPEAKER:

Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1201, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

- 1 Page 2, between lines 26 and 27, begin a new paragraph and insert:
- 2 "SECTION 7. IC 31-9-2-89, AS AMENDED BY P.L.42-2009,
- 3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2011]: Sec. 89. (a) "Person", for purposes of IC 31-19-19,
- 5 **IC 31-19-22, IC 31-19-25**, and the juvenile law, means:
- 6 (1) a human being;
- 7 (2) a corporation;
- 8 (3) a limited liability company;
- 9 (4) a partnership;
- 10 (5) an unincorporated association; or
- 11 (6) a governmental entity.
- 12 (b) "Person", for purposes of section 44.5 of this chapter, means an
- 13 adult or a minor.
- 14 (c) "Person", for purposes of IC 31-27, means an individual who is
- 15 at least twenty-one (21) years of age, a corporation, a partnership, a
- 16 voluntary association, or other entity.

1 (d) "Person", for purposes of the Uniform Child Custody
2 Jurisdiction Act under IC 31-21, has the meaning set forth in
3 IC 31-21-2-13."

4 Page 7, between lines 25 and 26, begin a new paragraph and insert:

5 "SECTION 26. IC 31-19-21-7 IS ADDED TO THE INDIANA
6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2011]: **Sec. 7. The following persons shall**
8 **send a copy of a consent for the release of identifying information**
9 **and any signed writing that withdraws or modifies a consent for**
10 **the release of identifying information received by the person to the**
11 **state registrar:**

12 (1) **The department.**

13 (2) **A county office of family and children.**

14 (3) **A licensed child placing agency.**

15 (4) **A professional health care provider (as defined in**
16 **IC 34-6-2-117).**

17 (5) **An attorney.**

18 (6) **A court."**

19 Page 7, line 39, delete "individual's or".

20 Page 7, line 40, strike "entity's" and insert "**person's**".

21 Page 8, line 8, delete "individual or entity" and insert "**person**".

22 Page 8, line 33, delete "individual or entity that would" and insert
23 "**person**".

24 Page 8, line 34, delete "release" and insert "**releasing**".

25 Page 8, line 36, delete "Except as provided in subsection (c), the"
26 and insert "**The**".

27 Page 9, line 2, delete "or entity".

28 Page 9, delete lines 4 through 7.

29 Page 11, line 5, delete "individuals and entities" and insert
30 "**persons**".

31 Page 15, line 8, delete "individual's or entity's" and insert
32 "**person's**".

33 Page 15, line 11, delete "individual or entity" and insert "**person**".

34 Page 15, line 36, reset in roman "persons".

35 Page 15, line 36, delete "individuals or entities".

36 Page 16, line 8, strike "person" and insert "**individual**".

37 Page 16, line 11, strike "person" and insert "**individual**".

38 Page 16, between lines 19 and 20, begin a new paragraph and insert:

1 "SECTION 43. IC 31-19-25-3.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2011]: **Sec. 3.5. The following persons shall**
4 **send a copy of a written nonrelease form received by the person**
5 **from a birth parent to the state registrar:**

- 6 **(1) The department.**
7 **(2) A county office of family and children.**
8 **(3) A licensed child placing agency.**
9 **(4) A professional health care provider.**
10 **(5) An attorney.**
11 **(6) A court.**

12 SECTION 44. IC 31-19-25-4 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 4. The state registrar
14 shall prescribe the nonrelease form described in section 3 of this
15 chapter. In prescribing the nonrelease form, the state registrar shall
16 devise the form in a manner that indicates that the birth parent's lack of
17 consent to the release of identifying information is to remain in effect
18 for the time indicated by the birth parent. The form must:

- 19 (1) contain a space in which the birth parent may check "yes" or
20 "no" concerning whether the ~~person~~ **individual** submitting the
21 form desires the state registrar to send notice to the birth parent's
22 most recent address at the time that the form lapses in cases in
23 which the birth parent has not chosen to prevent the nonrelease
24 form from lapsing; and
25 (2) indicate that the birth parent may choose to prevent the
26 nonrelease form from lapsing.

27 SECTION 45. IC 31-19-25-12 IS AMENDED TO READ AS
28 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 12. The state registrar
29 may contact ~~a person~~ **an individual** who submits a request form or
30 nonrelease form that is incorrectly or incompletely executed to inform
31 the ~~person~~ **individual** regarding the error in the execution of the form."

32 Page 16, line 22, delete "(a)".

33 Page 16, line 23, delete "subsection (b) or".

34 Page 16, line 31, delete "a birth parent" and insert "**the adoptee**".

35 Page 16, line 31, delete "who would" and insert "**releasing**".

36 Page 16, line 32, delete "release".

37 Page 16, line 32, delete "information for each birth parent who is"
38 and insert "**information**".

- 1 Page 16, delete lines 33 through 37.
- 2 Page 18, line 33, delete "individuals and entities" and insert
- 3 **"persons"**.
- 4 Renumber all SECTIONS consecutively.
(Reference is to HB 1201 as introduced.)

and when so amended that said bill do pass.

Representative Noe