
By: **Delegate Turner**

Introduced and read first time: March 1, 2000

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law - Access to Birth and Adoption Records - Disclosure Veto**

3 FOR the purpose of altering provisions of law concerning the filing of a disclosure veto
4 prohibiting access to certain birth and adoption records with the Secretary of
5 Health and Mental Hygiene to provide for the filing of the disclosure veto with
6 the Director of the Social Services Administration of the Department of Human
7 Resources; requiring the Director of the Social Services Administration to
8 immediately forward a copy of the disclosure veto to the Secretary of Health and
9 Mental Hygiene; and generally relating to filing a disclosure veto prohibiting
10 access to certain birth and adoption records.

11 BY repealing and reenacting, without amendments,
12 Article - Family Law
13 Section 5-3A-02
14 Annotated Code of Maryland
15 (1999 Replacement Volume and 1999 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article - Family Law
18 Section 5-3A-05
19 Annotated Code of Maryland
20 (1999 Replacement Volume and 1999 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article - Family Law**

24 5-3A-02.

25 (a) An adopted individual at least 21 years old may apply to the Secretary of
26 Health and Mental Hygiene for a copy of the following:

27 (1) the original certificate of birth and any records that relate to the new
28 certificate of birth of the adopted individual; and

1 (2) the report of the decree or judgment of adoption filed by the clerk of
2 the court under § 4-211 of the Health - General Article.

3 (b) If an adopted individual is at least 21 years old, a biological parent of the
4 adopted individual may apply to the Secretary of Health and Mental Hygiene for a
5 copy of the following:

6 (1) the original certificate of birth and any records that relate to the new
7 certificate of birth of the adopted individual;

8 (2) the new certificate of birth that was substituted for the original
9 certificate of birth of the adopted individual under § 4-211 of the Health - General
10 Article; and

11 (3) the report of the decree or judgment of adoption filed by the clerk of
12 the court under § 4-211 of the Health - General Article.

13 (c) The Secretary of Health and Mental Hygiene shall inform an applicant
14 under this section of the availability of adoption search, contact, and reunion services
15 under Subtitle 4B of this title.

16 5-3A-05.

17 (a) A biological parent may file with the [Secretary of Health and Mental
18 Hygiene] DIRECTOR OF THE SOCIAL SERVICES ADMINISTRATION OF THE
19 DEPARTMENT OF HUMAN RESOURCES a disclosure veto prohibiting the disclosure of
20 any information concerning that parent that is contained in a record described in §
21 5-3A-02 of this subtitle.

22 (b) An adopted individual at least 20 years old may file with the [Secretary of
23 Health and Mental Hygiene] DIRECTOR OF THE SOCIAL SERVICES ADMINISTRATION
24 OF THE DEPARTMENT OF HUMAN RESOURCES a disclosure veto prohibiting the
25 disclosure of any information concerning that individual that is contained in a record
26 described in § 5-3A-02 of this subtitle.

27 (C) THE DIRECTOR OF THE SOCIAL SERVICES ADMINISTRATION OF THE
28 DEPARTMENT OF HUMAN RESOURCES SHALL IMMEDIATELY FORWARD A COPY OF A
29 DISCLOSURE VETO FILED UNDER SUBSECTION (A) OR (B) OF THIS SECTION TO THE
30 SECRETARY OF HEALTH AND MENTAL HYGIENE.

31 [(c)] (D) An individual authorized to file a disclosure veto under subsection (a)
32 or (b) of this section may cancel or refile a disclosure veto at any time.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 October 1, 2000.