

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 162

Sponsor:

Printer's No. 2579

1 Amend Bill, page 1, line 2, by inserting after "Statutes,"
2 in proceedings prior to petition to adopt, further providing
3 for hearing, for alternative procedure for relinquishment and
4 for grounds for involuntary termination; and

5 Amend Bill, page 1, line 3, by inserting after "DEFINITIONS"
6 , for filing information with registry

7 Amend Bill, page 1, lines 8 through 11, by striking out all
8 of said lines and inserting

9 Section 1. Sections 2503, 2504 and 2511 of Title 23 of the
10 Pennsylvania Consolidated Statutes are amended by adding
11 subsections to read:

12 § 2503. Hearing.

13 * * *

14 (f) Right to file denial of release and revocation of
15 denial.--At the time the decree of termination is transmitted to
16 the parent whose rights are terminated, the court shall advise
17 that parent, in writing, of the parent's right to file a denial
18 of release under section 2937(b) (relating to original birth
19 record), and a revocation of denial of release under section
20 2937(c), and shall provide copies of the Department of Health's
21 denial of release and revocation of denial of release forms to
22 the parent.

23 § 2504. Alternative procedure for relinquishment.

24 * * *

25 (e) Right to file denial of release and revocation of
26 denial.--At the time the decree of termination is transmitted to
27 the parent whose rights are terminated, the court shall advise
28 the parent, in writing, of the parent's right to file a denial
29 of release under section 2937(b) (relating to original birth
30 record), and a revocation of denial of release under section
31 2937(c), and shall provide copies of the Department of Health's
32 denial of release and revocation of denial of release forms to
33 the parent.

34 § 2511. Grounds for involuntary termination.

35 * * *

1 (d) Right to file denial of release and revocation of
2 denial.--At the time the decree of termination is transmitted to
3 the parent whose rights are terminated, the court shall advise
4 the parent, in writing, of the parent's right to file a denial
5 of release under section 2937(b) (relating to original birth
6 record), and a revocation of denial of release under section
7 2937(c), and shall provide copies of the Department of Health's
8 denial of release and revocation of denial of release forms to
9 the parent.

10 Section 2. The definition of "summary of original birth
11 record" in section 2911 of Title 23 is amended and the section
12 is amended by adding a definition to read:

13 Amend Bill, page 2, line 11, by striking out all of said line
14 and inserting

15 Section 3. Sections 2923 and 2937 of Title 23 are amended to
16 read:

17 § 2923. Filing information with registry.

18 (a) Birth parent.--A birth parent shall file medical and
19 social history information, if known, with the registry on a
20 form developed by the department prior to the completion of an
21 adoption. A birth parent may at any time update medical and
22 social history information with the registry on a form developed
23 by the department.

24 (b) Adoptee and adoptive parent.--An adoptee[,] and an
25 adoptive parent [and a birth parent] may at any time file and
26 update medical and social history information with the registry
27 on a form developed by the department.

28 Amend Bill, page 3, line 12, by striking out "a"

29 Amend Bill, page 3, line 12, by inserting after "~~summary~~"
30 the adoptee's

31 Amend Bill, page 3, line 13, by striking out "the adoptee's"

32 Amend Bill, page 3, lines 14 and 15, by striking out "the
33 adoptee's"

34 Amend Bill, page 3, line 17, by striking out "(b)." and
35 inserting

36 (d) and a denial of release has not been filed with the
37 department under subsection (b).

38 (b) Denial of release.--A birth parent may, at any time,
39 file a denial of release with the Department of Health. The
40 Department of Health may not issue a noncertified copy of
41 original birth record to an adoptee of a birth parent who has

1 filed a denial of release. The Department of Health shall
2 prescribe the form and manner in which a birth parent may file a
3 denial of release.

4 (c) Revocation of denial of release.--A birth parent may, at
5 any time, revoke the birth parent's denial of release filed
6 under subsection (b). The revocation of a denial of release must
7 be submitted to the Department of Health in writing or in a
8 manner prescribed by the department. Upon receipt of a
9 revocation, the Department of Health shall review its records to
10 identify any adoptee subject to the revocation who was
11 previously denied a noncertified copy of original birth record
12 and shall provide notice of the revocation to any adoptee so
13 identified.

14 Amend Bill, page 3, line 18, by striking out "(b)" and
15 inserting

16 (d)

17 Amend Bill, page 3, line 18, by striking out "this section"
18 and inserting

19 subsection (a)

20 Amend Bill, page 4, line 1, by striking out "a"

21 Amend Bill, page 4, line 2, by inserting after "summary"
22 the adoptee's

23 Amend Bill, page 4, line 2, by striking out "the adoptee's"

24 Amend Bill, page 4, line 4, by striking out "(c)" and
25 inserting

26 (e)

27 Amend Bill, page 4, line 5, by inserting after "procedures"
28 and prescribe forms

29 Amend Bill, page 4, line 6, by striking out "180" and
30 inserting

31 90

32 Amend Bill, page 4, line 7, by inserting after "subsection."

33 The Department of Health shall make available denial of
34 release and revocation of denial of release forms for filing by
35 birth parents no later than 90 days following the effective date
36 of this subsection. The forms shall be available on the
37 department's Internet website.

1 Amend Bill, page 4, line 8, by striking out "(d)" and
2 inserting

3 (f)

4 Amend Bill, page 4, line 9, by striking out "an adoptee's"

5 Amend Bill, page 4, lines 15 through 21, by striking out all
6 of said lines and inserting

7 (g) Deceased birth parent.--Upon request of an adoptee, the
8 Department of Health shall issue a noncertified copy of original
9 birth record to the adoptee if the adoptee's birth parent is
10 deceased.

11 Section 4. The amendment or addition of the definitions of
12 "noncertified copy of original birth record" and "summary of
13 original birth record" in 23 Pa.C.S. § 2911 and of 23 Pa.C.S. §§
14 2503(f), 2504(e), 2511(d), 2923 and 2937 shall apply as follows:

15 (1) For adoptions which are initiated on or after the
16 effective date of this section, beginning 90 days following
17 the effective date of 23 Pa.C.S. § 2937(e).

18 (2) For adoptions finalized or registered in this
19 Commonwealth prior to the effective date of this section,
20 beginning January 1, 2018.

21 Section 5. This act shall take effect as follows:

22 (1) The following provisions shall take effect
23 immediately:

- 24 (i) The addition of 23 Pa.C.S. § 2937(e).
25 (ii) Section 4 of this act.
26 (iii) This section.

27 (2) The remainder of this act shall take effect in 90
28 days.