



267296

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/08/2019	.	
	.	
	.	
	.	

The Committee on Health Policy (Rader) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (4) of section 63.162, Florida
Statutes, is amended to read:

63.162 Hearings and records in adoption proceedings;
confidential nature.—

(4) (a) A person may ~~not~~ disclose the following from the
records without a court order ~~the name and identity of a birth~~



267296

11 ~~parent, an adoptive parent, or an adoptee unless:~~

12 1. ~~(a)~~ The name and identity of the birth parent if the
13 birth parent authorizes in writing the release of his or her
14 name;

15 2. ~~(b)~~ The name and identity of the adoptee, if the adoptee
16 is 18 or more years of age or older and ~~r~~ authorizes in writing
17 the release of his or her name; or, if the adoptee is less than
18 18 years of age, written consent to disclose the adoptee's name
19 is obtained from an adoptive parent; or

20 3. ~~(c)~~ The name and identity of the adoptive parent if the
21 adoptive parent authorizes in writing the release of his or her
22 name. ~~;~~ ~~or~~

23 (b) ~~(d)~~ A person may disclose from the records the name and
24 identity of a birth parent, an adoptive parent, or an adoptee
25 upon order of the court for good cause shown. In determining
26 whether good cause exists, the court shall give primary
27 consideration to the best interests of the adoptee, but must
28 also give due consideration to the interests of the adoptive and
29 birth parents. Factors to be considered in determining whether
30 good cause exists include, but are not limited to:

31 1. The reason the information is sought;

32 2. The existence of means available to obtain the desired
33 information without disclosing the identity of the birth
34 parents, such as by having the court, a person appointed by the
35 court, the department, or the licensed child-placing agency
36 contact the birth parents and request specific information;

37 3. The desires, to the extent known, of the adoptee, the
38 adoptive parents, and the birth parents;

39 4. The age, maturity, judgment, and expressed needs of the



267296

40 adoptee; and

41 5. The recommendation of the department, licensed child-
42 placing agency, or professional which prepared the preliminary
43 study and home investigation, or the department if no such study
44 was prepared, concerning the advisability of disclosure.

45 Section 2. This act shall take effect July 1, 2019.

46

47 ===== T I T L E A M E N D M E N T =====

48 And the title is amended as follows:

49 Delete everything before the enacting clause
50 and insert:

51 A bill to be entitled
52 An act relating to adoption records; amending s.
53 63.162, F.S.; providing that the name and identity of
54 a birth parent, an adoptive parent, and an adoptee may
55 be disclosed from the adoption records without a court
56 order under certain circumstances; providing an
57 effective date.