$\mathbf{B}\mathbf{y}$ the Committee on Children, Families, and Elder Affairs; and Senator Rader

21 <u>is younger than 18 years of age, the adoptive parent must also</u> 22 <u>provide written consent to disclose the birth parent's name;</u> 23 <u>2.(b)</u> The <u>name and identity of the</u> adoptee, if <u>the adoptee</u> 24 <u>is 18 or more</u> years of age <u>or older and</u> , authorizes in writing 25 the release of his or her name; or, if the adoptee is <u>younger</u> 26 less than 18 years of age, written consent to disclose the 27 adoptee's name is obtained from an adoptive parent; <u>or</u> <u>3.(c)</u> The <u>name and identity of the</u> adoptive parent, <u>if the</u>		586-03117-20 2020302c1
 63.162, F.S.; providing that the name and identity of a birth parent, an adoptive parent, and an adoptee may be disclosed from adoption records without a court order under certain circumstances; providing an effective date. Be It Enacted by the Legislature of the State of Florida: 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 parent, an adoptive parent, or an adoptee unless: 1.(a) The name and identity of the birth parent, if the birth parent authorizes in writing the release of his or her name and the adoptee is 18 years of age or older; if the adoptee is younger than 18 years of age, the adoptive parent must also provide written consent to disclose the birth parent's name; 2.(b) The name and identity of the adoptee, if the adoptee is 18 or more years of age or older and, authorizes in writing the release of his or her name; or, if the adoptee is younger less than 18 years of age, written consent to disclose the adoptee's name is obtained from an adoptive parent; or 3.(-e) The name and identity of the adoptive parent, if the 	1	A bill to be entitled
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	27	adoptee's name is obtained from an adoptive parent; <u>or</u>
	28	<u>3.(c)</u> The <u>name and identity of the</u> adoptive parent, if the
29 <u>adoptive parent</u> authorizes in writing the release of his or her	29	adoptive parent authorizes in writing the release of his or her

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30 name.; or

31 (b) (d) A person may disclose from the records the name and 32 identity of a birth parent, an adoptive parent, or an adoptee 33 upon order of the court for good cause shown. In determining 34 whether good cause exists, the court shall give primary 35 consideration to the best interests of the adoptee, but must 36 also give due consideration to the interests of the adoptive and 37 birth parents. Factors to be considered in determining whether good cause exists include, but are not limited to: 38

39

1. The reason the information is sought;

40 2. The existence of means available to obtain the desired 41 information without disclosing the identity of the birth 42 parents, such as by having the court, a person appointed by the 43 court, the department, or the licensed child-placing agency 44 contact the birth parents and request specific information;

3. The desires, to the extent known, of the adoptee, theadoptive parents, and the birth parents;

47 4. The age, maturity, judgment, and expressed needs of the48 adoptee; and

5. The recommendation of the department, licensed childplacing agency, or professional <u>that</u> which prepared the preliminary study and home investigation, or the department if no such study was prepared, concerning the advisability of disclosure.

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Section 2. This act shall take effect July 1, 2020.

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CODING: Words stricken are deletions; words underlined are additions.