

Second Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 14-0664.03 Debbie Haskins x2045

SENATE BILL 14-051

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SENATE SPONSORSHIP

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HOUSE SPONSORSHIP

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Senate Committees  
Judiciary

House Committees

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A BILL FOR AN ACT

101 CONCERNING ACCESS TO RECORDS RELATING TO THE ADOPTION OF  
102 CHILDREN.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills summaries>.)*

The bill repeals and reenacts portions of the existing statute on access to adoption records to eliminate different standards of access by members of the adoption triad (consisting of the adoptee, the birth parents, and the adoptive parents) and their descendants based on the law in existence on the date the adoption was finalized. The bill retains the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

current policy that adoption records are confidential from the general public, unless the requesting party is eligible under the statute to access the records or unless the court finds good cause for release. The bill retains current policy that after a birth parent is deceased or an adult adoptee is deceased, eligible relatives may receive access to the adoption records.

**Contact preference forms.** The bill allows for the continued use of the contact preference form issued by the state registrar of vital statistics (state registrar), which form may be used by a birth parent to indicate whether he or she prefers to be contacted by an adoptee, the descendant of an adoptee, or a representative of either directly, through a third party, or not at all. Effective July 1, 2014, the state registrar shall not distribute a contact preference form that gives a birth parent the option to authorize or not authorize release of the original birth certificate to the adult adoptee, his or her descendants, or certain adoptive family members. Prior to releasing an original birth certificate to an individual eligible to access it, the state registrar or the custodian of records must conduct a search to determine whether a contact preference form was filed with the state registrar. If a contact preference form was executed prior to July 1, 2014, and the birth parent stated a preference not to authorize release of the original birth certificate, then the state registrar or other custodian of records may not release the original birth certificate to an adult adoptee or other eligible individual unless the birth parent rescinds or changes the contact preference form, upon mutual consent of 2 or more reunited parties, the birth parent is deceased, or a court orders its release. If one birth parent has authorized the release of the birth certificate and the other birth parent has not authorized the release, the state registrar or other custodian of records may only issue the original birth certificate with the name of the nonconsenting parent redacted.

The state registrar shall maintain and make available to the public accurate statistics about the number of contact preference forms on file with the state registrar and how many of the forms state a preference for contact, no contact, or contact through a third party.

**Access to adoption records by adult adoptees, their descendants, or adoptive family members.** The bill retains current policy regarding parties who are eligible to apply for adoption records. A custodian of adoption records must release adoption records (including birth certificates) to an adult adoptee, an adoptive parent of a minor adoptee, a custodial grandparent of a minor adoptee, or the legal representative of any such individual. In addition, the custodian of records must provide direct access for inspection and copying of adoption records to a spouse of an adult adoptee, adult descendant of an adoptee, adult sibling or half-sibling of an adult adoptee, adoptive parent or grandparent of an adult adoptee, or the legal representative of any such individual, if the individual requesting access has the notarized written consent of the

adult adoptee or if the adult adoptee is deceased.

**Access to original birth certificates by birth parents.** Upon request, the state registrar must provide to a birth parent who relinquished a child for adoption a copy of the unaltered original birth certificate that the birth parent signed or was named in.

**Access to death certificates.** The state registrar is authorized to conduct a search of death certificates to determine whether a birth parent or an adoptee is deceased and to provide a copy of any death certificate found to the requesting eligible individual. The state registrar may collect fees for conducting a search and for making copies and shall transmit any fees to the state treasurer who must credit the fees to the vital statistics records cash fund.

The legal custodian shall not release records unless the individual requesting access is eligible to access the records and provides proof of personal identification. The legal custodian may charge reasonable fees for copying records.

The bill retains the existing policy that allows identifying information in records of child placement agencies to remain confidential based on prior written statements of birth parents on file with the child placement agency or the court.

Subject to the provisions of this bill, any party may seek direct contact with another party or use the services of a confidential intermediary, a licensed child placement agency that agrees to conduct a search, or the voluntary mutual consent registry operated by the state registrar.

The bill makes conforming amendments.

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1 *Be it enacted by the General Assembly of the State of Colorado:*  
2           **SECTION 1.** In Colorado Revised Statutes, 19-5-305, **repeal and**  
3 **reenact, with amendments,** (1), (1.5), and (2); and **add** (6) as follows:  
4           **19-5-305. Access to adoption records - contact with parties to**  
5 **adoption - contact preference form and updated medical history**  
6 **statement.** (1) **Confidentiality.** ALL ADOPTION RECORDS ARE  
7 CONFIDENTIAL FROM THE GENERAL PUBLIC AND SHALL REMAIN  
8 CONFIDENTIAL EXCEPT AS DESCRIBED IN SUBSECTION (2) OF THIS SECTION  
9 OR UPON DEMONSTRATION OF GOOD CAUSE PURSUANT TO SECTION  
10 19-1-309 OR AS OTHERWISE PROVIDED BY LAW.

1           **(1.5) Contact preference forms and updated medical history**  
2 **statements from birth parents.** (a) THE STATE REGISTRAR SHALL  
3 PRESCRIBE AND MAKE AVAILABLE TO A BIRTH PARENT NAMED ON AN  
4 ORIGINAL BIRTH CERTIFICATE IN THE RECORDS OF THE STATE REGISTRAR  
5 A CONTACT PREFERENCE FORM ON WHICH THE BIRTH PARENT MAY  
6 INDICATE A PREFERENCE REGARDING CONTACT BY THE ADULT ADOPTEE,  
7 AN ADULT DESCENDANT OF THE ADOPTEE, OR A LEGAL REPRESENTATIVE  
8 OF THE ADOPTEE OR DESCENDANT. THE PURPOSE OF THE CONTACT  
9 PREFERENCE FORM IS TO ALLOW THE BIRTH PARENT THE OPPORTUNITY TO  
10 INDICATE A PREFERENCE TO BE CONTACTED DIRECTLY, TO BE CONTACTED  
11 THROUGH A THIRD PARTY, OR NOT TO BE CONTACTED BY OTHER PARTIES.

12           (b) THE FORM MUST ALSO INCLUDE SPACE FOR A WRITTEN  
13 STATEMENT BY THE BIRTH PARENT, WHICH MAY INCLUDE UPDATED  
14 MEDICAL HISTORY ABOUT THE BIRTH PARENT OR OTHER BIOLOGICAL  
15 RELATIVES, AN EXPLANATION FOR THE STATED CONTACT PREFERENCE, OR  
16 OTHER INFORMATION FOR THE PARTY SEEKING RECORDS. THE MEDICAL  
17 HISTORY STATEMENT FORM MUST INDICATE THAT THE BIRTH PARENT IS  
18 WAIVING CONFIDENTIALITY OF ANY MEDICAL INFORMATION SUPPLIED IN  
19 THE STATEMENT WITH RESPECT TO THE ADOPTEE, AN ADULT DESCENDANT  
20 OF THE ADOPTEE, OR A LEGAL REPRESENTATIVE OF SUCH INDIVIDUAL, AND  
21 TO THE STATE REGISTRAR OR HIS OR HER DESIGNEES.

22           (c) THE STATE REGISTRAR SHALL MAINTAIN THE CONTACT  
23 PREFERENCE FORM AND THE MEDICAL HISTORY STATEMENTS, IF ANY, AND  
24 MAKE THEM ACCESSIBLE TO AN INDIVIDUAL WHO IS ELIGIBLE TO RECEIVE  
25 ADOPTION RECORDS AS DESCRIBED IN PARAGRAPH (a) OF SUBSECTION (2)  
26 OF THIS SECTION AND WHO SUBMITS A WRITTEN APPLICATION FORM, PROOF  
27 OF IDENTITY, AND AN EXPLANATION OF THE INDIVIDUAL'S RELATIONSHIP

1 TO THE ADOPTEE, IF APPLICABLE. THE STATE REGISTRAR SHALL MAINTAIN  
2 AND MAKE AVAILABLE TO THE PUBLIC ACCURATE STATISTICS ABOUT THE  
3 NUMBER OF CONTACT PREFERENCE FORMS ON FILE WITH THE STATE  
4 REGISTRAR AND HOW MANY OF THE FORMS STATE A PREFERENCE FOR  
5 CONTACT, NO CONTACT, OR CONTACT THROUGH A THIRD PARTY.

6 (d) (I) EFFECTIVE JULY 1, 2014, THE STATE REGISTRAR SHALL NOT  
7 DISTRIBUTE CONTACT PREFERENCE FORMS THAT INCLUDE AN OPTION FOR  
8 THE BIRTH PARENT TO AUTHORIZE OR NOT AUTHORIZE RELEASE OF THE  
9 ORIGINAL BIRTH CERTIFICATE TO OTHER PARTIES WHO ARE ELIGIBLE  
10 UNDER PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION TO RECEIVE  
11 ACCESS TO THE ORIGINAL BIRTH CERTIFICATE. ON OR BEFORE JULY 1,  
12 2014, THE STATE REGISTRAR SHALL REVISE THE CONTACT PREFERENCE  
13 FORM TO ELIMINATE THE OPTION ALLOWING A BIRTH PARENT TO  
14 AUTHORIZE OR NOT AUTHORIZE THE RELEASE OF THE ORIGINAL BIRTH  
15 CERTIFICATE TO INDIVIDUALS THAT ARE ELIGIBLE TO RECEIVE THE  
16 ORIGINAL BIRTH CERTIFICATE AS PROVIDED IN PARAGRAPH (a) OR  
17 PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION.

18 (II) PRIOR TO ALLOWING ACCESS TO AND PROVIDING A COPY OF AN  
19 ORIGINAL BIRTH CERTIFICATE TO AN ELIGIBLE REQUESTING INDIVIDUAL,  
20 THE STATE REGISTRAR OR OTHER CUSTODIAN OF RECORDS, IF APPLICABLE,  
21 MUST PERFORM A DILIGENT SEARCH FOR A CONTACT PREFERENCE FORM.  
22 IF A CONTACT PREFERENCE FORM EXECUTED PRIOR TO JULY 1, 2014,  
23 STATES A PREFERENCE TO AUTHORIZE THE RELEASE OF THE ORIGINAL  
24 BIRTH CERTIFICATE OR IF NO PREFERENCE REGARDING RELEASE OF THE  
25 ORIGINAL BIRTH CERTIFICATE HAS BEEN STATED, THEN THE STATE  
26 REGISTRAR OR OTHER CUSTODIAN OF RECORDS MUST RELEASE THE  
27 ORIGINAL BIRTH CERTIFICATE TO THE ELIGIBLE REQUESTING INDIVIDUAL.

1 IF A CONTACT PREFERENCE FORM EXECUTED PRIOR TO JULY 1, 2014,  
2 STATES A PREFERENCE THAT THE ORIGINAL BIRTH CERTIFICATE NOT BE  
3 RELEASED, THEN THE STATE REGISTRAR OR OTHER CUSTODIAN OF  
4 RECORDS MAY NOT RELEASE THE ORIGINAL BIRTH CERTIFICATE TO THE  
5 ELIGIBLE REQUESTING INDIVIDUAL UNLESS THE BIRTH PARENT RESCINDS  
6 OR CHANGES THE CONTACT PREFERENCE FORM, UPON MUTUAL CONSENT  
7 OF TWO OR MORE REUNITED PARTIES, THE BIRTH PARENT IS DECEASED, OR  
8 THE ELIGIBLE REQUESTING INDIVIDUAL OBTAINS A COURT ORDER  
9 PURSUANT TO SECTION 19-1-309. IF ONE BIRTH PARENT HAS AUTHORIZED  
10 THE RELEASE OF THE BIRTH CERTIFICATE AND THE OTHER BIRTH PARENT  
11 HAS NOT AUTHORIZED THE RELEASE, THE STATE REGISTRAR OR OTHER  
12 CUSTODIAN OF RECORDS SHALL ISSUE THE ORIGINAL BIRTH CERTIFICATE  
13 TO THE ELIGIBLE REQUESTING INDIVIDUAL WITH THE NAME OF THE  
14 NONCONSENTING PARENT REDACTED.

15 (2) **Access to adoption records.** SUBJECT TO THE PROVISIONS OF  
16 SUBSECTION (3) OF THIS SECTION AND IN ADDITION TO INFORMATION  
17 EXCHANGED IN A DESIGNATED ADOPTION OR INSPECTION AUTHORIZED BY  
18 A COURT UPON GOOD CAUSE SHOWN PURSUANT TO SECTION 19-1-309,  
19 ACCESS TO ADOPTION RECORDS BY CERTAIN PARTIES IS GOVERNED BY THE  
20 FOLLOWING PROVISIONS:

21 (a) **Adult adoptees, their descendants, and adoptive family**  
22 **members.** UPON REQUEST, THE CUSTODIAN OF RECORDS SHALL PROVIDE  
23 DIRECT ACCESS TO ALL ADOPTION RECORDS, AS DEFINED IN SECTION  
24 19-1-103 (6.5), FOR INSPECTION AND COPYING BY AN ADULT ADOPTEE, AN  
25 ADOPTIVE PARENT OF A MINOR ADOPTEE, A CUSTODIAL GRANDPARENT OF  
26 A MINOR ADOPTEE, OR THE LEGAL REPRESENTATIVE OF ANY SUCH  
27 INDIVIDUAL. IN ADDITION, THE CUSTODIAN OF RECORDS SHALL PROVIDE

1 DIRECT ACCESS TO ADOPTION RECORDS FOR INSPECTION AND COPYING BY  
2 A SPOUSE OF AN ADULT ADOPTEE, AN ADULT DESCENDANT OF AN ADOPTEE,  
3 AN ADULT SIBLING OR HALF-SIBLING OF AN ADULT ADOPTEE, AN ADOPTIVE  
4 PARENT OR GRANDPARENT OF AN ADULT ADOPTEE, OR THE LEGAL  
5 REPRESENTATIVE OF ANY SUCH INDIVIDUAL, IF THE INDIVIDUAL  
6 REQUESTING ACCESS HAS THE NOTARIZED WRITTEN CONSENT OF THE  
7 ADULT ADOPTEE OR IF THE ADULT ADOPTEE IS DECEASED.

8 (b) **Access by a birth parent to the original birth certificate.** A  
9 BIRTH PARENT WHO RELINQUISHED A CHILD FOR ADOPTION, WHOSE  
10 PARENT-CHILD LEGAL RELATIONSHIP WAS TERMINATED, AND WHO SIGNED  
11 OR IS NAMED ON THE ORIGINAL BIRTH CERTIFICATE MAY APPLY TO THE  
12 STATE REGISTRAR FOR AND OBTAIN A NONCERTIFIED COPY OF THE  
13 UNALTERED ORIGINAL BIRTH CERTIFICATE OF THE CHILD HE OR SHE  
14 RELINQUISHED IF THE CHILD WAS BORN IN THIS STATE, OR IF THE CHILD'S  
15 ADOPTION WAS FINALIZED IN THIS STATE, OR BOTH.

16 (c) (I) **Access to death certificates of deceased parties.** UPON  
17 REQUEST OF AN INDIVIDUAL ELIGIBLE TO HAVE ACCESS TO ADOPTION  
18 RECORDS AS DESCRIBED IN PARAGRAPH (a) OR PARAGRAPH (b) OF THIS  
19 SUBSECTION (2), THE STATE REGISTRAR SHALL CONDUCT A SEARCH OF  
20 DEATH CERTIFICATES TO DETERMINE WHETHER AN ADOPTEE OR A BIRTH  
21 PARENT IS DECEASED. IF THE STATE REGISTRAR FINDS A DEATH  
22 CERTIFICATE FOR THE ADULT ADOPTEE OR THE BIRTH PARENT, THEN THE  
23 STATE REGISTRAR SHALL PROVIDE A COPY TO THE REQUESTING  
24 INDIVIDUAL. THE STATE REGISTRAR MAY COLLECT A FEE FOR CONDUCTING  
25 A SEARCH AND FOR MAKING A COPY OF THE DEATH CERTIFICATE.

26 (II) **Access to records pertaining to a deceased party.** IF AN  
27 INDIVIDUAL ELIGIBLE TO HAVE ACCESS TO ADOPTION RECORDS AS

1 DESCRIBED IN PARAGRAPH (a) OR (b) OF THIS SUBSECTION (2) APPLIES TO  
2 A CUSTODIAN OF RECORDS FOR ACCESS TO RECORDS ABOUT AN ADULT  
3 ADOPTEE OR A BIRTH PARENT AND THE CUSTODIAN OF RECORDS  
4 DETERMINES THAT THE PERSON WHOSE RECORDS ARE BEING SOUGHT IS  
5 DECEASED OR CAN REASONABLY BE PRESUMED TO BE DECEASED BASED ON  
6 THE KNOWN OR ESTIMATED DATE OF BIRTH OF THE SOUGHT PARTY, THE  
7 CUSTODIAN OF RECORDS SHALL PROVIDE DIRECT ACCESS TO THE RECORDS  
8 FOR INSPECTION AND COPYING BY THE ELIGIBLE REQUESTING INDIVIDUAL.

9 (d) **Proof of identification and fees.** PRIOR TO RELEASING ANY  
10 RECORDS TO ANY INDIVIDUAL ELIGIBLE TO RECEIVE RECORDS PURSUANT  
11 TO THIS SUBSECTION (2), THE CUSTODIAN OF RECORDS MUST REQUIRE THE  
12 INDIVIDUAL REQUESTING ACCESS TO PROVIDE PROOF OF IDENTIFICATION.  
13 THE CUSTODIAN OF RECORDS MAY CHARGE REASONABLE FEES FOR  
14 PROVIDING COPIES OF RECORDS. THE STATE REGISTRAR SHALL TRANSMIT  
15 ALL MONEYS COLLECTED PURSUANT TO PARAGRAPH (c) OF THIS  
16 SUBSECTION (2) AND THIS PARAGRAPH (d) TO THE STATE TREASURER, WHO  
17 SHALL CREDIT THE SAME TO THE VITAL STATISTICS RECORDS CASH FUND  
18 CREATED IN SECTION 25-2-121, C.R.S.

19 (e) **Release of records by child placement agencies and prior**  
20 **written statements of birth parents.** NOTWITHSTANDING THE  
21 PROVISIONS OF SUBSECTION (3) OF THIS SECTION, THE ADOPTION RECORDS  
22 IN THE POSSESSION OF A CHILD PLACEMENT AGENCY MAY NOT BE OPEN  
23 FOR INSPECTION OR MADE AVAILABLE FOR COPYING WITH RESPECT TO ANY  
24 IDENTIFYING INFORMATION CONCERNING A BIRTH PARENT IF THE BIRTH  
25 PARENT HAS PREVIOUSLY PROVIDED THE COURT AND THE CHILD  
26 PLACEMENT AGENCY, IF APPLICABLE, WITH A SIGNED AND NOTARIZED  
27 WRITTEN STATEMENT, WITHIN THREE YEARS AFTER THE FINAL ORDER OF



1 RELINQUISHMENT OR TERMINATION OF THE PARENT-CHILD LEGAL  
2 RELATIONSHIP, SPECIFYING THAT SUCH PARENT WISHES THE IDENTIFYING  
3 INFORMATION CONCERNING THAT PARENT TO REMAIN CONFIDENTIAL. THE  
4 WRITTEN STATEMENT MUST REMAIN IN THE COURT'S AND THE CHILD  
5 PLACEMENT AGENCY'S RELINQUISHMENT OR TERMINATION FILE UNLESS  
6 LATER WITHDRAWN BY THE PARENT. THE BIRTH PARENT MAY ALSO  
7 SUBMIT TO THE COURT AND TO THE CHILD PLACEMENT AGENCY A LETTER  
8 OF EXPLANATION THAT THE COURT AND THE CHILD PLACEMENT AGENCY  
9 MUST RELEASE TO THE ADOPTEE AT THE TIME THAT THE ADOPTEE MAKES  
10 A REQUEST FOR INSPECTION OF THE ADOPTION RECORDS. NO CHILD  
11 PLACEMENT AGENCY IS LIABLE TO ANY INDIVIDUAL FOR THE FAILURE OF  
12 A BIRTH PARENT TO SUBMIT SUCH A WRITTEN STATEMENT TO THE COURT.  
13 THE CHILD PLACEMENT AGENCY SHALL MAKE REASONABLE EFFORTS TO  
14 NOTIFY ANY AND ALL BIRTH PARENTS WHO EXECUTED A STATEMENT,  
15 PURSUANT TO EARLIER VERSIONS OF THIS STATUTE, OF THE OPTION TO  
16 SUBMIT A CONTACT PREFERENCE FORM AND AN UPDATED MEDICAL  
17 HISTORY STATEMENT AS PROVIDED IN SUBSECTION (1.5) OF THIS SECTION.

18 (6) **Contact between the parties.** SUBJECT TO THE PROVISIONS OF  
19 SUBSECTION (2) OF THIS SECTION, ANY PARTY MAY SEEK TO MAKE DIRECT  
20 CONTACT WITH ANOTHER PARTY OR TO USE THE SERVICES OF A  
21 CONFIDENTIAL INTERMEDIARY AS PROVIDED IN SECTION 19-5-304, A  
22 LICENSED CHILD PLACEMENT AGENCY AS PROVIDED IN SUBSECTION (3) OF  
23 THIS SECTION, OR THE VOLUNTARY ADOPTION REGISTRY MAINTAINED BY  
24 THE STATE REGISTRAR AS PROVIDED IN SECTION 25-2-113.5, C.R.S.

25 **SECTION 2.** In Colorado Revised Statutes, 19-1-103, **amend**  
26 (28.7); and **add** (35.3) as follows:

27 **19-1-103. Definitions.** As used in this title or in the specified

1 portion of this title, unless the context otherwise requires:

2 (28.7) "Contact preference form" means a written statement  
3 signed by a birth parent indicating whether the birth parent prefers future  
4 contact with an adult adoptee, an adult descendant of the adoptee, or a  
5 legal representative of the adoptee or the descendant and, if contact is  
6 preferred, whether the contact should be through a confidential  
7 intermediary or a designated employee of a child placement agency. ~~A~~  
8 ~~contact preference form includes an option for a birth parent to authorize~~  
9 ~~the release of an original birth certificate.~~

10 (35.3) "CUSTODIAN OF RECORDS", AS USED IN SECTION 19-5-305,  
11 MEANS ANY OF THE FOLLOWING INDIVIDUALS OR ENTITIES THAT HAVE  
12 CUSTODY OF RECORDS RELATING TO THE RELINQUISHMENT OR ADOPTION  
13 OF A CHILD:

14 (a) A COURT;

15 (b) A STATE AGENCY;

16 (c) A COUNTY DEPARTMENT OF SOCIAL SERVICES;

17 (d) AN ATTORNEY WHO REPRESENTED A PARTY INVOLVED IN A  
18 RELINQUISHMENT OR AN ADOPTION; OR

19 (e) THE LEGAL AGENT OR REPRESENTATIVE OF ANY INDIVIDUAL OR  
20 ENTITY DESCRIBED IN PARAGRAPHS (a) TO (d) OF THIS SUBSECTION (35.3).

21 **SECTION 3.** In Colorado Revised Statutes, 19-5-103, **amend** (2)  
22 (g) as follows:

23 **19-5-103. Relinquishment procedure - petition - hearings.**

24 (2) The counseling specified in paragraph (a) of subsection (1) of this  
25 section and provided by the department or the child placement agency  
26 shall include, but not be limited to, the following:

27 (g) The confidentiality of all information, except for

1 nonidentifying information as defined in section 19-1-103 (80) that may  
2 be accessed as provided in part 4 of this article, obtained by the  
3 department and the child placement agency in the course of  
4 relinquishment counseling unless the parent provides written permission  
5 or a release of information is ordered by a court of competent jurisdiction  
6 and except for a copy of an original birth certificate that may be obtained  
7 by an adult adoptee, adult descendant of an adoptee, or a legal  
8 representative of the adoptee or descendant as authorized by section  
9 19-5-305. The counseling shall also include notice that a birth parent has  
10 the opportunity to file a written statement specifying that the birth parent's  
11 information remain confidential, an explanation of the rights and  
12 responsibilities of birth parents who disagree about consent as set forth  
13 in section 19-5-305, (~~2~~), and notice that a birth parent has the opportunity  
14 to sign and submit a contact preference form and updated medical history  
15 statements to the state registrar as set forth in section 19-5-305 (1.5).

16 **SECTION 4.** In Colorado Revised Statutes, **amend** 19-5-301 (1)  
17 as follows:

18 **19-5-301. Legislative declaration.** (1) The general assembly  
19 hereby finds and declares that adult adoptees, adoptive parents, biological  
20 parents, and biological siblings should have a ~~qualified~~ right of access to  
21 ~~any~~ CERTAIN records regarding their or their child's adoption or the  
22 adoption of their offspring or siblings AS OUTLINED IN SECTION 19-5-305  
23 and that such a ~~qualified~~ right must coexist with the right of such parties  
24 to privacy and confidentiality. The general assembly also finds that an  
25 adult adoptee, his biological or adoptive parent, or his biological sibling  
26 may desire to obtain information about each other at different points in  
27 time. Furthermore, the general assembly finds that confidentiality FROM

1 THE GENERAL PUBLIC is essential to the adoption process and that any  
2 procedure to access information which relates to an adoption TO SEARCH  
3 FOR UNKNOWN RELATIVES THROUGH A CONFIDENTIAL INTERMEDIARY OR  
4 A LICENSED CHILD PLACEMENT AGENCY must be designed to maintain  
5 confidentiality and to respect the wishes of all involved parties.

6 **SECTION 5.** In Colorado Revised Statutes, 19-5-304, **repeal** (2)  
7 (b) (III) as follows:

8 **19-5-304. Confidential intermediaries - confidential**  
9 **intermediary services.** (2) (b) The court-appointed confidential  
10 intermediary shall make a diligent search of the adoption records and  
11 post-adoption records in an effort to find the sought-after relative. If the  
12 confidential intermediary successfully locates the relative sought, the  
13 confidential intermediary shall provide that relative with the opportunity  
14 to:

15 ~~(III) Consent to or refuse to authorize disclosure of the adoption~~  
16 ~~records to the person seeking such access.~~

17 **SECTION 6. Effective date - applicability.** This act takes effect  
18 July 1, 2014, and applies to requests for access to adoption records on or  
19 after said date.

20 **SECTION 7. Safety clause.** The general assembly hereby finds,  
21 determines, and declares that this act is necessary for the immediate  
22 preservation of the public peace, health, and safety.