

By: Representative Calvert

To: Judiciary B

HOUSE BILL NO. 1029

1 AN ACT TO CREATE NEW SECTION 93-17-206, MISSISSIPPI CODE OF  
 2 1972, TO REQUIRE THE BUREAU OF VITAL RECORDS OF THE STATE BOARD OF  
 3 HEALTH TO ISSUE, UPON REQUEST, A COPY OF THE ORIGINAL BIRTH  
 4 CERTIFICATE OF AN ADOPTEE WHO IS 24 YEARS OF AGE OR OLDER; TO  
 5 AMEND SECTION 93-17-205, MISSISSIPPI CODE OF 1972, TO REQUIRE THE  
 6 BUREAU TO PREPARE A CONTACT PREFERENCE FORM THAT A BIRTH PARENT  
 7 MAY FILE WITH THE BUREAU INDICATING THE BIRTH PARENT'S PREFERENCE  
 8 REGARDING BEING CONTACTED BY A CHILD THE PARENT PLACED FOR  
 9 ADOPTION; TO REQUIRE THE BUREAU TO RELEASE A CONTACT PREFERENCE  
 10 FORM, IF ANY, TO AN ADOPTEE WHENEVER THE ADOPTEE IS ISSUED AN  
 11 ORIGINAL BIRTH CERTIFICATE; AND FOR RELATED PURPOSES.

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

13 **SECTION 1.** The following shall be codified as Section  
 14 93-17-206, Mississippi Code of 1972:

15 93-17-206. (1) Notwithstanding any provision of law to the  
 16 contrary or the existence of an affidavit filed by an adoptee's  
 17 parent expressly prohibiting the bureau from providing the adoptee  
 18 with any information about the birth parent, an adoptee who is  
 19 twenty-four (24) years of age or older may request an uncertified  
 20 copy of the adoptee's original birth certificate from the bureau.  
 21 Upon request, the bureau shall issue an uncertified copy of the  
 22 original birth certificate to the adoptee.



23 (2) If a birth parent has submitted a contact preference  
24 form to the bureau, as provided for in Section 93-17-205, the  
25 bureau must provide the contact preference form to the adoptee  
26 whenever a copy of the original birth certificate is issued to the  
27 adoptee.

28 (3) The rules and regulations promulgated by the bureau  
29 pursuant to Section 93-17-213 must include provisions relating to  
30 the provision of an uncertified copy of the original birth  
31 certificate and contact preference form, if any, to an adoptee, as  
32 authorized under this section.

33 **SECTION 2.** Section 93-17-205, Mississippi Code of 1972, is  
34 amended as follows:

35 93-17-205. (1) The bureau shall maintain a centralized  
36 adoption records file for all adoptions performed in this state  
37 after July 1, 2005, which shall contain the following information:

38 (a) The medical and social history of the birth  
39 parents, including information regarding genetically inheritable  
40 diseases or illnesses and any similar information furnished by the  
41 birth parents about the adoptee's grandparents, aunts, uncles,  
42 brothers and sisters if known;

43 (b) A report of any medical examination which either  
44 birth parent had within one (1) year before the date of the  
45 petition for adoption, if available and known;

46 (c) A report describing the adoptee's prenatal care and  
47 medical condition at birth, if available and known;



48           (d) The medical and social history of the adoptee,  
49 including information regarding genetically inheritable diseases  
50 or illnesses, and any other relevant medical, social and genetic  
51 information if available; and

52           (e) Forms 100A, 100B (if applicable) and evidence of  
53 Interstate Compact for Placement of Children approval (if  
54 applicable).

55           The Administrative Office of Courts shall assist the bureau  
56 in the maintenance of its centralized adoption record by compiling  
57 the number of finalized adoptions in each chancery court district  
58 on a monthly basis, and submitting this information to the bureau.  
59 The bureau shall include these statistics in its centralized  
60 adoption record. The information in this report shall include the  
61 number of adoptions in this state where the adopting parent is a  
62 blood relative of the adoptee and the number of adoptions in this  
63 state where the adopting parent is not a blood relative of the  
64 adoptee. The report shall not include any individual identifying  
65 information. This information shall be updated annually and made  
66 available to the public upon request for a reasonable fee.

67           (2) Any birth parent may file with the bureau at any time  
68 any relevant supplemental nonidentifying information about the  
69 adoptee or the adoptee's birth parents, and the bureau shall  
70 maintain this information in the centralized adoption records  
71 file.



72 (3) The bureau shall also maintain as part of the  
73 centralized adoption records file the following:

74 (a) The name, date of birth, social security number  
75 (both original and revised, where applicable) and birth  
76 certificate (both original and revised) of the adoptee;

77 (b) The names, current addresses and social security  
78 numbers of the adoptee's birth parents, guardian and legal  
79 custodian;

80 (c) Any contact preference form that has been submitted  
81 to the bureau by the adoptee's birth parent or parents pursuant to  
82 subsection (4) of this section; and

83 ( \* \* \*d) Any other available information about the  
84 birth parent's identity and location.

85 (4) (a) The bureau shall prepare a contact preference form  
86 that a birth parent may request at any time from the bureau. A  
87 contact preference form submitted to the bureau by a birth parent  
88 must accompany the adoptee's original birth certificate.

89 (b) The contact preference form must provide for the  
90 following information to be completed at the option of the birth  
91 parent, who must indicate his or her intentions as follows:

92 (i) I would like to be contacted.

93 (ii) I would prefer to be contacted only through  
94 an intermediary, including, but not limited to, an agency.



95                   (iii) I prefer not to be contacted at this time.  
96 If I decide later that I would like to be contacted, I will submit  
97 an updated contact preference form to the bureau.

98                   (c) The contact preference form is a confidential  
99 communication from the birth parent to the person named on the  
100 original birth certificate and must be placed with the original  
101 birth certificate in the locked drawer or vault where the bureau  
102 placed the original birth certificate pursuant to Section 93-17-21  
103 or in the centralized adoption records file. Notwithstanding the  
104 existence of an affidavit expressly prohibiting the bureau from  
105 providing the adoptee with information about the birth parent's  
106 identity and location, as authorized under subsection (5), the  
107 contact preference form must be released to an adoptee when the  
108 adoptee requests a copy of the original birth certificate under  
109 Section 93-17-206.

110                   (5) In addition to the contact preference form authorized  
111 under subsection (4), any birth parent may file with the bureau at  
112 any time an affidavit authorizing the bureau to provide the  
113 adoptee with his or her original birth certificate and with any  
114 other available information about the birth parent's identity and  
115 location, or an affidavit expressly prohibiting the bureau from  
116 providing the adoptee with any information about such birth  
117 parent's identity and location, and prohibiting any licensed  
118 adoption agency from conducting a search for such birth parent  
119 under the terms of Sections 93-17-201 through 93-17-223. An



120 affidavit filed under this section may be revoked at any time by  
121 written notification to the bureau from the birth parent.

122 ( \* \* \*6) Counsel for the adoptive parents in the adoption  
123 finalization proceeding shall provide the bureau with the  
124 information required in subsections (1) and (3) of this section,  
125 and he shall also make such information a part of the adoption  
126 records of the court in which the final decree of adoption is  
127 rendered. This information shall be provided on forms prepared by  
128 the bureau.

129 ( \* \* \*7) (a) If an agency receives a report from a  
130 physician stating that a birth parent or another child of the  
131 birth parent has acquired or may have a genetically transferable  
132 disease or illness, the agency shall notify the bureau and the  
133 appropriate licensed adoption agency, and the latter agency shall  
134 notify the adoptee of the existence of the disease or illness, if  
135 he or she is twenty-one (21) years of age or over, or notify the  
136 adoptee's guardian, custodian or adoptive parent if the adoptee is  
137 under age twenty-one (21).

138 (b) If an agency receives a report from a physician  
139 that an adoptee has acquired or may have a genetically  
140 transferable disease or illness, the agency shall notify the  
141 bureau and the appropriate licensed agency, and the latter agency  
142 shall notify the adoptee's birth parent of the existence of the  
143 disease or illness.



144 ( \* \* \*8) Compliance with the provisions of this section may  
145 be waived by the court, in its discretion, in any chancery court  
146 proceeding in which one or more of the petitioners for adoption is  
147 the natural mother or father of the adoptee.

148 **SECTION 3.** This act shall take effect and be in force from  
149 and after July 1, 2024.

