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AN ACT

RELATING TO ADOPTION; AMENDING AND ENACTING SECTIONS OF THE
ADOPTION ACT AND THE NEW MEXICO UNIFORM PARENTAGE ACT TO
PROVIDE FOR CONFIRMATORY ADOPTIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 32A-5-3 NMSA 1978 (being Laws 1993,
Chapter 77, Section 130, as amended) is amended to read:

"32A-5-3. DEFINITIONS.--As used in the Adoption Act:

A. "accrediting entity" means an entity that has
entered into an agreement with the United States secretary of
state pursuant to the federal Intercountry Adoption Act of
2000 and regulations adopted by the United States secretary
of state pursuant to that act, to accredit agencies and
approve persons who provide adoption services related to
convention adoptions;

B. "adoptee" means a person who is the subject of
an adoption petition;

C. "adoption service" means:

(1) identifying a child for adoption and
arranging the adoption of the child;

(2) arranging or assisting in the process of
connecting or matching parents who may place a child for
adoption with prospective adoptive parents;

(3) providing counseling, advice or guidance

1 related to a potential adoption;

2 (4) receiving or disbursing funds or
3 anything of value on behalf of a prospective adoptive parent
4 or to a parent who may place or has placed a child for
5 adoption;

6 (5) securing termination of parental rights
7 to a child or consent to adoption of the child;

8 (6) performing a background study on a child
9 and reporting on the study;

10 (7) performing a home study on a prospective
11 adoptive parent and reporting on the study;

12 (8) making determinations regarding the best
13 interests of a child and the appropriateness of an adoptive
14 placement for the child;

15 (9) performing post-placement monitoring of
16 a child until an adoption is final; or

17 (10) when there is a disruption before an
18 adoption of a child is final, assuming custody of the child
19 and providing or facilitating the provision of child care or
20 other social services for the child pending an alternative
21 placement of the child;

22 D. "agency" means a person certified, licensed or
23 otherwise specially empowered by law to place a child in a
24 home in this or any other state for the purpose of adoption;

25 E. "agency adoption" means an adoption when the

1 adoptee is in the custody of an agency prior to placement;

2 F. "acknowledged father" means a father who:

3 (1) acknowledges paternity of the adoptee
4 pursuant to the putative father registry, as provided for in
5 Section 32A-5-20 NMSA 1978;

6 (2) is named, with his consent, as the
7 adoptee's father on the adoptee's birth certificate;

8 (3) is obligated to support the adoptee
9 under a written voluntary promise or pursuant to a court
10 order;

11 (4) has openly held out the adoptee as his
12 own child by establishing a custodial, personal or financial
13 relationship with the adoptee as follows:

14 (a) for an adoptee under six months old
15 at the time of placement: 1) has initiated an action to
16 establish paternity; 2) is living with the adoptee at the
17 time the adoption petition is filed; 3) has lived with the
18 mother a minimum of ninety days during the two-hundred-
19 eighty-day period prior to the birth or placement of the
20 adoptee; 4) has lived with the adoptee within the ninety days
21 immediately preceding the adoptive placement; 5) has provided
22 reasonable and fair financial support to the mother during
23 the pregnancy and in connection with the adoptee's birth in
24 accordance with his means and when not prevented from doing
25 so by the person or authorized agency having lawful custody

1 of the adoptee or the adoptee's mother; 6) has continuously
2 paid child support to the mother since the adoptee's birth in
3 an amount at least equal to the amount provided in
4 Section 40-4-11.1 NMSA 1978, or has brought current any
5 delinquent child support payments; or 7) any other factor the
6 court deems necessary to establish a custodial, personal or
7 financial relationship with the adoptee; or

8 (b) for an adoptee over six months old
9 at the time of placement: 1) has initiated an action to
10 establish paternity; 2) has lived with the adoptee within the
11 ninety days immediately preceding the adoptive placement;
12 3) has continuously paid child support to the mother since
13 the adoptee's birth in an amount at least equal to the amount
14 provided in Section 40-4-11.1 NMSA 1978, or is making
15 reasonable efforts to bring delinquent child support payments
16 current; 4) has contact with the adoptee on a monthly basis
17 when physically and financially able and when not prevented
18 by the person or authorized agency having lawful custody of
19 the adoptee; or 5) has regular communication with the
20 adoptee, or with the person or agency having the care or
21 custody of the adoptee, when physically and financially
22 unable to visit the adoptee and when not prevented from doing
23 so by the person or authorized agency having lawful custody
24 of the adoptee; or

25 (5) has established a parent-child

1 relationship pursuant to Article 2 of the New Mexico Uniform
2 Parentage Act;

3 G. "alleged father" means a person who alleges or
4 is alleged to be a genetic parent or possible genetic parent
5 of a child, but whose parentage has not been adjudicated.

6 "Alleged father" does not include:

7 (1) a presumed parent;

8 (2) a person whose parental rights have been
9 terminated or declared not to exist; or

10 (3) a donor;

11 H. "assisted reproduction" means a method of
12 causing pregnancy other than sexual intercourse. "Assisted
13 reproduction" includes:

14 (1) intrauterine or vaginal insemination;

15 (2) donation of eggs or sperm;

16 (3) donation of embryos;

17 (4) in-vitro fertilization and transfer of
18 embryos; and

19 (5) intracytoplasmic sperm injection;

20 I. "confirmatory adoption" means an action in
21 which a parent or parents of a child born through assisted
22 reproduction seek to confirm parentage of the child and
23 obtain a judgment of adoption;

24 J. "consent" means a document:

25 (1) signed by a biological parent whereby

1 the parent grants consent to the adoption of the parent's
2 child by another;

3 (2) whereby the department or an agency
4 grants its consent to the adoption of a child in its custody;
5 or

6 (3) signed by the adoptee if the child is
7 fourteen years of age or older;

8 K. "convention adoption" means:

9 (1) an adoption by a United States resident
10 of a child who is a resident of a foreign country that is a
11 party to the Hague Convention on Protection of Children and
12 Co-operation in Respect of Intercountry Adoption; or

13 (2) an adoption by a resident of a foreign
14 country that is a party to the Hague Convention on Protection
15 of Children and Co-operation in Respect of Intercountry
16 Adoption of a child who is a resident of the United States;

17 L. "counselor" means a person certified by the
18 department to conduct adoption counseling in independent
19 adoptions;

20 M. "department adoption" means an adoption when
21 the child is in the custody of the department;

22 N. "donor" means a person who contributes a gamete
23 or gametes or an embryo or embryos to another person for
24 assisted reproduction or gestation, whether or not there is
25 consideration for the contribution. "Donor" does not include

1 a person who:

2 (1) provides gametes for use in assisted
3 reproduction with that person's spouse;

4 (2) gives birth to a child by means of
5 assisted reproduction, unless declared otherwise by a court
6 pursuant to a surrogacy agreement;

7 (3) is a parent of a child of assisted
8 reproduction pursuant to Article 7 of the New Mexico Uniform
9 Parentage Act; or

10 (4) is an intended parent pursuant to a
11 surrogacy agreement;

12 O. "foreign born child" means any child not born
13 in the United States who is not a citizen of the
14 United States;

15 P. "former parent" means a parent whose parental
16 rights have been terminated or relinquished;

17 Q. "full disclosure" means mandatory and
18 continuous disclosure by the investigator, agency, department
19 or petitioner throughout the adoption proceeding and after
20 finalization of the adoption of all known, nonidentifying
21 information regarding the adoptee, including:

22 (1) health history;

23 (2) psychological history;

24 (3) mental history;

25 (4) hospital history;

- 1 (5) medication history;
- 2 (6) genetic history;
- 3 (7) physical descriptions;
- 4 (8) social history;
- 5 (9) placement history; and
- 6 (10) education;

7 R. "independent adoption" means an adoption when
8 the child is not in the custody of the department or an
9 agency;

10 S. "investigator" means an individual certified by
11 the department to conduct pre-placement studies and
12 post-placement reports;

13 T. "office" means a place for the regular
14 transaction of business or performance of particular
15 services;

16 U. "parent" means a person who has established a
17 parent-child relationship;

18 V. "parent-child relationship" means a
19 relationship between a person and a child that is established
20 by:

21 (1) the person having given birth to the
22 child;

23 (2) an adjudication of the person's
24 maternity or paternity;

25 (3) adoption of the child by the person;

1 (4) a presumption of parentage pursuant to
2 Section 40-11A-204 NMSA 1978;

3 (5) an effective acknowledgment of parentage
4 by the person pursuant to Article 3 of the New Mexico Uniform
5 Parentage Act, unless the acknowledgment has been rescinded
6 or successfully challenged; or

7 (6) the person's having consented to
8 assisted reproduction pursuant to Article 7 of the New Mexico
9 Uniform Parentage Act that resulted in the birth of the
10 child;

11 W. "parental rights" means all rights of a parent
12 with reference to a child, including parental right to
13 control, to withhold consent to an adoption or to receive
14 notice of a hearing on a petition for adoption;

15 X. "placement" means the selection of a family for
16 an adoptee or matching of a family with an adoptee and
17 physical transfer of the adoptee to the family in all
18 adoption proceedings, except in adoptions filed pursuant to
19 Paragraphs (1) and (2) of Subsection C of Section 32A-5-12
20 NMSA 1978, in which case placement occurs when the parents
21 consent to the adoption, parental rights are terminated or
22 parental consent is implied;

23 Y. "post-placement report" means a written
24 evaluation of the adoptive family and the adoptee after the
25 adoptee is placed for adoption;

1 Z. "pre-placement study" means a written
2 evaluation of the adoptive family, the adoptee's biological
3 family and the adoptee;

4 AA. "presumed father" means:

5 (1) the husband of the biological mother at
6 the time the adoptee was born;

7 (2) an individual who was married to the
8 mother and either the adoptee was born during the term of the
9 marriage or the adoptee was born within three hundred days
10 after the marriage was terminated by death, annulment,
11 declaration of invalidity or divorce; or

12 (3) before the adoptee's birth, an
13 individual who attempted to marry the adoptee's biological
14 mother by a marriage solemnized in apparent compliance with
15 law, although the attempted marriage is or could be declared
16 invalid and if the attempted marriage:

17 (a) could be declared invalid only by a
18 court, the adoptee was born during the attempted marriage or
19 within three hundred days after its termination by death,
20 annulment, declaration of invalidity or divorce; or

21 (b) is invalid without a court order,
22 the adoptee was born within three hundred days after the
23 termination of cohabitation;

24 BB. "record" means any petition, affidavit,
25 consent or relinquishment form, transcript or notes of

1 testimony, deposition, power of attorney, report, decree,
2 order, judgment, correspondence, document, photograph,
3 invoice, receipt, certificate or other printed, written,
4 videotaped or tape-recorded material pertaining to an
5 adoption proceeding;

6 CC. "relinquishment" means the document by which a
7 parent relinquishes parental rights to the department or an
8 agency to enable placement of the parent's child for
9 adoption;

10 DD. "resident" means a person who, prior to filing
11 an adoption petition, has lived in the state for at least
12 six months immediately preceding filing of the petition for
13 adoption or a person who has become domiciled in the state by
14 establishing legal residence with the intention of
15 maintaining the residency indefinitely; and

16 EE. "stepparent adoption" means an adoption of the
17 adoptee by the adoptee's stepparent when the adoptee has
18 lived with the stepparent for at least one year following the
19 marriage of the stepparent to the custodial parent."

20 SECTION 2. A new section of the Adoption Act,
21 Section 32A-5-3.1 NMSA 1978 is enacted to read:

22 "32A-5-3.1. APPLICABILITY OF TERMS.--To the extent
23 practicable, any provision of the Adoption Act applicable to
24 a father-child relationship applies to a mother-child
25 relationship or parent-child relationship, and any provision

1 of the Adoption Act applicable to a mother-child relationship
2 applies to a father-child relationship or parent-child
3 relationship."

4 SECTION 3. Section 32A-5-14 NMSA 1978 (being Laws 1993,
5 Chapter 77, Section 141, as amended) is amended to read:

6 "32A-5-14. PRE-PLACEMENT STUDY.--

7 A. The pre-placement study shall be performed as
8 prescribed by department regulation and shall include at a
9 minimum the following:

10 (1) an individual interview with each
11 petitioner;

12 (2) a joint interview with both petitioners;
13 if a joint interview is not conducted, an explanation shall
14 be provided in the pre-placement study;

15 (3) a home visit, which shall include an
16 interview with the petitioner's children and any other
17 permanent residents of the petitioner's home;

18 (4) an interview with the adoptee, if age
19 appropriate;

20 (5) an individual interview with each of the
21 adoptee's parents; if a parent is not interviewed, an
22 explanation shall be provided in the pre-placement study;

23 (6) full disclosure to the petitioner;

24 (7) exploration of the petitioners'
25 philosophy concerning discussion of adoption issues with the

1 adoptee;

2 (8) the initiation of a criminal records
3 check of each petitioner;

4 (9) a medical certificate dated not more
5 than one year prior to any adoptive placement assessing the
6 petitioner's health as it relates to the petitioner's ability
7 to care for the adoptee;

8 (10) a minimum of three letters of reference
9 from individuals named by the petitioner or memoranda of the
10 dates and contents of personal contacts with the references;

11 (11) a statement of the capacity and
12 readiness of the petitioner for parenthood and the
13 petitioner's emotional and physical health and ability to
14 shelter, feed, clothe and educate the adoptee;

15 (12) verification of the petitioner's
16 employment, financial resources and marital status;

17 (13) a report of a medical examination
18 performed on the adoptee within one year prior to the
19 proposed adoptive placement;

20 (14) a statement of the results of any prior
21 pre-placement study or initiation of a pre-placement study,
22 if any, of the petitioners done by any person; and

23 (15) a copy of proof of certification by the
24 department for the investigator to conduct pre-placement
25 studies or, if the preparer of the pre-placement study is

1 out-of-state, the preparer shall attach a statement setting
2 forth qualifications that are equivalent to those required of
3 an investigator pursuant to the provisions of
4 Section 32A-5-13 NMSA 1978 and department regulations.

5 B. The pre-placement study shall be completed at
6 the cost of the petitioner.

7 C. Unless directed by the court, a pre-placement
8 study is not required in cases in which the child is being
9 adopted by a stepparent, a relative or a person named in the
10 child's deceased parent's will pursuant to Section 32A-5-12
11 NMSA 1978.

12 D. The pre-placement study shall be filed with the
13 court.

14 E. The requirements of this section shall not
15 apply to confirmatory adoptions."

16 SECTION 4. Section 32A-5-27 NMSA 1978 (being Laws 1993,
17 Chapter 77, Section 154, as amended) is amended to read:

18 "32A-5-27. NOTICE OF PETITION--FORM OF SERVICE--
19 WAIVER.--

20 A. The petition for adoption shall be served by
21 the petitioner on the following, unless it has been
22 previously waived in writing:

23 (1) the department, by providing a copy to
24 the court clerk for service pursuant to Section 32A-5-7
25 NMSA 1978;

1 (2) any person, agency or institution whose
2 consent or relinquishment is required by Section 32A-5-17
3 NMSA 1978, unless the notice has been previously waived;

4 (3) any acknowledged father of the adoptee;

5 (4) the legally appointed custodian or
6 guardian of the adoptee;

7 (5) the spouse of any petitioner who has not
8 joined in the petition;

9 (6) the spouse of the adoptee;

10 (7) the surviving parent of a deceased
11 parent of the adoptee;

12 (8) any person known to the petitioner
13 having custody of or visitation with the adoptee under a
14 court order;

15 (9) any person in whose home the child has
16 resided for at least two months within the preceding
17 six months;

18 (10) the agency or individual authorized to
19 investigate the adoption under Section 32A-5-13 NMSA 1978;
20 and

21 (11) any other person designated by the
22 court.

23 B. Notice shall not be served on the following:

24 (1) an alleged father; and

25 (2) a person whose parental rights have been

1 relinquished or terminated.

2 C. The petitioner shall provide the clerk of the
3 court with a copy of the petition for adoption, to be mailed
4 to the department pursuant to the provisions of
5 Section 32A-5-7 NMSA 1978.

6 D. The notice shall state that the person served
7 shall respond to the petition within twenty days if the
8 person intends to contest the adoption and shall state that
9 the failure to so respond shall be treated as a default and
10 the person's consent to the adoption shall not be required.
11 Provided, however, that this provision shall not apply to an
12 agency, the department or an investigator preparing the
13 post-placement report pursuant to Section 32A-5-31 NMSA 1978.
14 If an agency, the department or an investigator preparing the
15 post-placement report wants to contest the adoption, it shall
16 notify the court within twenty days after completion of the
17 post-placement report.

18 E. Service shall be made pursuant to the Rules of
19 Civil Procedure for the District Courts. If the whereabouts
20 of a parent whose consent is required is unknown, the
21 investigator, department or agency charged with investigating
22 the adoption under Section 32A-5-13 NMSA 1978 shall
23 investigate the whereabouts of the parent and shall file by
24 affidavit the results of the investigation with the court.

25 Upon a finding by the court that information as to the

1 whereabouts of a parent has been sufficiently investigated
2 and is still insufficient to effect service in accordance
3 with the Rules of Civil Procedure for the District Courts,
4 the court shall issue an order providing for service by
5 publication.

6 F. As to any other person for whom notice is
7 required under Subsection A of this section, service by
8 certified mail, return receipt requested, shall be
9 sufficient. If the service cannot be completed after two
10 attempts, the court shall issue an order providing for
11 service by publication.

12 G. The notice required by this section may be
13 waived in writing by the person entitled to notice.

14 H. Proof of service of the notice on all persons
15 for whom notice is required by this section shall be filed
16 with the court before any hearing adjudicating the rights of
17 the persons.

18 I. The requirements of this section shall not
19 apply to confirmatory adoptions."

20 SECTION 5. Section 32A-5-34 NMSA 1978 (being Laws 1993,
21 Chapter 77, Section 161, as amended) is amended to read:

22 "32A-5-34. FEES AND CHARGES--DAMAGES.--

23 A. Prior to the final hearing on a petition, the
24 petitioner shall file a full accounting of all disbursements
25 of anything of value made or agreed to be made by or on

1 behalf of the petitioner in connection with an adoption. The
2 accounting report shall be signed under penalty of perjury.
3 The accounting report shall be itemized in detail and shall
4 show the services reasonably relating to the adoption or to
5 the placement of the child for adoption that were received by
6 the parents of the child, by the child or by or on behalf of
7 the petitioner. The report shall also include the dates of
8 each payment and the names and addresses of each attorney,
9 physician, hospital, licensed adoption agency or other person
10 or organization who received any funds or any other thing of
11 value from the petitioner in connection with the adoption or
12 the placement of the child with the petitioner or who
13 participated in any way in the handling of the funds, either
14 directly or indirectly. The requirements of this subsection
15 shall not apply to confirmatory adoptions.

16 B. Only a prospective adoptive parent, acting
17 alone, through an agency or through an attorney who is
18 licensed in this state, shall make payments for services
19 relating to the adoption or to the placement of the adoptee
20 for adoption for allowed expenses only to third-party
21 vendors, as reasonably practical. These payments shall
22 consist of reasonable and actual fees or charges for:

23 (1) the services of an agency in connection
24 with an adoption;

25 (2) medical, hospital, nursing,

1 pharmaceutical, traveling or other similar expenses incurred
2 by a mother or the adoptee in connection with the birth or
3 any illness of an adoptee;

4 (3) reasonable counseling services relating
5 to the adoption;

6 (4) living expenses of a mother and her
7 dependent children, including the adoptee, for a reasonable
8 time before the birth or placement of the adoptee and for no
9 more than six weeks after the birth or placement of the
10 adoptee;

11 (5) expenses incurred for the purposes of
12 full disclosure;

13 (6) legal services, court costs and
14 traveling or other administrative expenses connected with an
15 adoption, including any legal service performed for a parent
16 who consents to the adoption of a child or relinquishes the
17 child to an agency;

18 (7) preparation of a pre-placement study and
19 of a post-placement report during the pendency of the
20 adoption proceeding; or

21 (8) any other service or expense the court
22 finds is reasonably necessary for services relating to the
23 adoption or to the placement of the adoptee for adoption.

24 C. Any person who makes payments that are not
25 permitted pursuant to the provisions of this section is in

1 violation of the Adoption Act and subject to the penalties
2 set forth in Section 32A-5-42 NMSA 1978.

3 D. Any person who threatens or coerces a parent to
4 complete the relinquishment of parental rights or to complete
5 the consent to an adoption, by demanding repayment of
6 expenses or by any other threat or coercion, shall be liable
7 to the parent for compensatory and punitive damages.

8 E. The accounting required in Subsection A of this
9 section is not applicable to stepparent adoptions or to
10 adoptions under the provisions of the Abuse and Neglect Act,
11 unless ordered by the court.

12 F. Nothing in this section shall be construed to
13 permit payment to a woman for conceiving and carrying a
14 child."

15 SECTION 6. A new section of the Adoption Act,
16 Section 32A-5-46 NMSA 1978, is enacted to read:

17 "32A-5-46. CONFIRMATORY ADOPTION.--

18 A. Whenever a child is born as a result of
19 assisted reproduction and a person or persons who did not
20 give birth is a parent or parents and seeks to confirm
21 parentage through an adoption of the child, the court shall
22 permit the parent to file a petition for adoption in
23 accordance with this section.

24 B. Notwithstanding any other provisions of the
25 Adoption Act, a petition for confirmatory adoption shall

1 include the following:

2 (1) signatures from all petitioners for
3 confirmatory adoption;

4 (2) if any of the petitioners are married, a
5 copy of the petitioners' marriage certificate;

6 (3) a declaration signed by all petitioners
7 explaining the circumstances of the child's birth through
8 assisted reproduction, attesting that the petitioners are
9 parents and that there are no other persons with a claim to
10 parentage of the child; and

11 (4) a certified copy of the child's birth
12 certificate.

13 C. Submission of a complete petition for
14 confirmatory adoption constitutes notice of and written
15 consent to the confirmatory adoption, and the court shall not
16 require any additional notice or consent by any petitioner.

17 D. If a petitioner for confirmatory adoption
18 conceived the child through assisted reproduction using a
19 donor, the court shall not require notice of the confirmatory
20 adoption to that donor or the consent of that donor to the
21 confirmatory adoption.

22 E. Unless otherwise ordered by the court for good
23 cause shown and supported by written findings of the court
24 demonstrating good cause, for the purposes of evaluating and
25 granting a petition for confirmatory adoption pursuant to

1 this section, the court shall not require:

2 (1) placement;

3 (2) a pre-placement study or post-placement
4 report, including home visits, interviews, medical exams or
5 certificates, employment or financial resource verification,
6 letters of reference or examination of a petitioner's
7 capacity or readiness;

8 (3) counseling for any parent, presumed
9 parent or child;

10 (4) a criminal records check;

11 (5) documentation of fees or charges related
12 to the confirmatory adoption;

13 (6) a minimum residency in the home of the
14 petitioners;

15 (7) a best interest of the child assessment;
16 or

17 (8) a hearing or appearance.

18 F. The court shall grant a petition for
19 confirmatory adoption within thirty days of the petition
20 being filed upon finding that:

21 (1) the child was born through assisted
22 reproduction to parents joined in marriage, one of the
23 petitioners gave birth to the child and there are no
24 competing claims of parentage; or

25 (2) the child was born through assisted

1 reproduction with the consent of all petitioners, one of the
2 petitioners gave birth to the child, the other petitioner or
3 petitioners are parents and there are no competing claims of
4 parentage.

5 G. A petition for confirmatory adoption shall not
6 be denied on the basis that:

7 (1) any of the petitioners' parentage is
8 already presumed or legally recognized in this state;

9 (2) the petitioners are unmarried; or

10 (3) there are more than two petitioners.

11 H. When parentage is presumed or legally
12 recognized under state law, the fact that a party did not
13 petition for confirmatory adoption shall not be considered as
14 evidence in determining:

15 (1) parental rights disputes; or

16 (2) the best interest of a child."

17 SECTION 7. Section 40-11A-704 NMSA 1978 (being
18 Laws 2009, Chapter 215, Section 7-704) is amended to read:

19 "40-11A-704. CONSENT TO ASSISTED REPRODUCTION.--

20 A. The intended parent or parents shall consent to
21 the assisted reproduction in a record signed before, on or
22 after the day of birth of the child or in an oral agreement
23 entered into before conception by each intended parent.

24 B. The absence of evidence required pursuant to
25 Subsection A of this section does not preclude a finding of

1 parentage if the person resided with the child after birth
2 and openly held out the child as the person's own jointly
3 with the birthing parent.

4 C. All papers relating to the assisted
5 reproduction, whether part of a court, medical or any other
6 file, are subject to inspection only upon an order of the
7 district court or with the consent, in a signed record of:

8 (1) the donor or donors; and

9 (2) the parent or parents who consented to
10 the assisted reproduction pursuant to Subsection A of this
11 section or a child who was born as a result of the assisted
12 reproduction pursuant to Subsection A of this section if the
13 child is eighteen years of age or older."

14 SECTION 8. APPLICABILITY.--The provisions of this act
15 apply to actions commenced on or after the effective date of
16 this act.

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