

AMENDED IN ASSEMBLY JANUARY 16, 1992

AMENDED IN ASSEMBLY JANUARY 13, 1992

CALIFORNIA LEGISLATURE—1991-92 REGULAR SESSION

ASSEMBLY BILL

No. 1444

Introduced by Assembly Member Quackenbush

March 7, 1991

An act to amend Sections ~~222.15, 224.73, 229.40,~~ and Section 1798.24 of, and to add Section Sections 222.16, 224.76, and 229.80 to, the Civil Code, and to amend Sections ~~10432.1, 10433,~~ and Section 10439 of, to add Section ~~10438.5~~ 10434.5 to, and to repeal Section 10433.4 of, the Health and Safety Code, relating to adoptions.

LEGISLATIVE COUNSEL'S DIGEST

AB 1444, as amended, Quackenbush. Adoption: records.

(1) Existing law generally prohibits state agencies from disclosing any personal information in a manner that would link the information disclosed to the individual to whom it pertains unless the disclosure of the information is as specified. With respect to the disclosure of personal information to an adopted person, that information is limited to general background information pertaining to the adopted person's natural parents and may not include or reveal the identity of the natural parents. However, existing law authorizes, in adoptions in which the relinquishment for or consent to adoption was signed on or after January 1, 1984, a person who has been adopted and who attains the age of 21 years to request that the State Department of Social Services or the licensed adoption agency that joined in the petition for his or her adoption disclose the name and address of his or her birth parent and also authorizes a birth parent of a person who has been adopted and who has attained the age of 21 years to

request the disclosure of the adopted name of the adoptee and his or her most current address. The birth parent or the adoptee must consent to the disclosure of this information.

This bill would revise existing law with respect to access to birth certificates as it applies to adoptees who have attained the age of 18 years or birth parents of adoptees who have attained the age of 18 years. More specifically, this bill would require the department or licensed adoption agency to furnish an uncertified copy of the original birth certificate upon request of State Department of Social Services to adopt a form to be signed by the birth parent at the time the relinquishment for or consent to the adoption is signed to advise the birth parent that an adoptee who has attained the age of 18 years and to furnish an uncertified copy of the amended birth certificate upon request of the birth parents of an adoptee who has attained the age of 18 years. However, if the original birth certificate or amended birth certificate is not available in the adoption file, the department would be required to provide an affidavit authorizing the adoptee or the birth parent to obtain an uncertified copy of the requested record from the State Registrar. The bill would require the department, and would permit licensed adoption agencies and the State Department of Health Services, to charge unspecified fees for this service. The bill would also make related changes. Because the bill would mandate new and increased duties on licensed county adoption agencies, a state/mandated local program may, upon request, obtain an uncertified copy of the original birth certificate. The department would also be required to execute a notarized affidavit certifying that birth parents seeking to obtain a short form copy of the adoptee's birth certificate did not have their parental rights terminated involuntarily. This bill would also specify that the department has access to files of pending adoptions and closed adoptions as specified.

(2) Existing law provides procedures for the amendment of birth records after adoption, including the issuance of a new birth certificate and an amended birth certificate and the transmittal and sealing of the original birth certificate. The records and information specified in these procedures

other than the newly issued birth certificate, are available only upon court order, as specified.

This bill would require the State Registrar to make (1) the new birth certificate available; to adoptees and adoptive parents at all times and, (2) a short form copy of the new birth certificate available, upon request, to birth parents of adoptees who have attained the age of 18 years, and to make (3) an uncertified copy of the original birth certificate available, upon request, to adoptees who have attained the age of 18 years. The bill would authorize the State Department of Health Services to charge fees for this service and would revise the information that the new birth certificate is to contain.

This bill would also specify a procedure for adding the name of a birth father to an original birth certificate that has been sealed, if the name of the birth father does not appear on the original birth certificate.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates which do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that this bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to those statutory procedures and, if the statewide cost does not exceed \$1,000,000, shall be made from the State Mandates Claims Fund. This bill would make related changes.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes no.

The people of the State of California do enact as follows:

SECTION 1. Section 222.15 of the Civil Code is amended to read:

222.15. (a) The department shall adopt a statement to be presented to the birth parents at the time the relinquishment is signed and to prospective adoptive parents at the time of the home study which shall, in a clear and concise manner, in words calculated to assure the confidence of the birth parent in the integrity of the adoption process, communicate to the birth parent of a child who is the subject of an adoption petition all of the following facts:

(1) It is in the best interest of the child that the birth parent keep the department or the licensed adoption agency to whom the child was relinquished for adoption informed of any health problems that the parent develops that could affect the child.

(2) It is extremely important that the birth parent keep his or her address current with the department or the licensed adoption agency to whom the child was relinquished for adoption in order to permit a response to any inquiries to the department or licensed adoption agency concerning medical or social history.

(3) The relinquishment will be filed in the office of the county clerk of the county in which the adoption takes place. The file is not open to inspection by any persons other than the parties to the adoption proceedings, their attorneys, and the department, except upon order of the judge of the superior court.

(b) The department shall adopt a form to be signed by the birth parents at the time the relinquishment is signed which shall provide as follows:

"Section 229.40 of the Civil Code authorizes a person who has been adopted and who attains the age of 18 years to petition the State Department of Social Services or the licensed adoption agency that joined in the petition for his or her adoption to obtain an uncertified copy of his or her original birth certificate."

SEG. 2. Section 224.73 of the Civil Code is amended to read:

224.73. (a) The department shall adopt a statement to be presented to the birth parents at the time the consent to adoption is signed and to prospective adoptive parents at the time of the home study which shall, in a clear and concise manner, in words calculated to assure the confidence of the birth parents in the integrity of the adoption process, communicate to the birth parent of a child who is the subject of an adoption petition all of the following facts:

(1) It is in the best interest of the child that the birth parents keep the department informed of any health problems that the parent develops that could affect the child.

(2) It is extremely important that the birth parent keep his or her address current with the department in order to permit a response to any inquiries to the department or delegated county adoption agency concerning medical or social history.

(3) The consent shall be filed in the office of the county clerk of the county in which the adoption takes place. The file is not open to inspection by any persons other than the parties to the adoption proceedings, their attorneys, and the department, except upon order of the judge of the superior court.

(b) The department shall adopt a form to be signed by the birth parents at the time the consent to adoption is signed which shall provide as follows:

"Section 229.40 of the Civil Code authorizes a person who has been adopted and who attains the age of 18 years to petition the State Department of Social Services or the licensed adoption agency that joined in the petition for his or her adoption to obtain an uncertified copy of his or her original birth certificate."

SEG. 3. Section 229.40 of the Civil Code is amended to read:

229.40. (a) The department or a licensed adoption agency shall do all of the following:

1 (1) Upon request of a person who has been adopted
 2 pursuant to this chapter and who has attained the age of
 3 18 years, make available to the adoptee an uncertified
 4 copy of the original birth certificate, without an order of
 5 the superior court. If a copy of the original birth
 6 certificate is not available in the adoption record, the
 7 department or licensed adoption agency shall complete
 8 an affidavit which authorizes the adult adoptee to obtain
 9 an uncertified copy of his or her original birth certificate
 10 from the State Registrar pursuant to Section 10439 of the
 11 Health and Safety Code.

12 (2) Upon the request of the birth parent or parents of
 13 an adoptee who has attained the age of 18 years, make
 14 available to the birth parent an uncertified copy of the
 15 amended certificate of birth, without an order of the
 16 superior court. If a copy of the amended birth certificate
 17 is not available in the adoption record, the department or
 18 licensed adoption agency shall complete an affidavit
 19 which authorizes the birth parent or parents to obtain an
 20 uncertified copy of the adoptee's amended birth
 21 certificate from the State Registrar pursuant to Section
 22 10433 of the Health and Safety Code.

23 (3) Upon the request of the adoptive parent of a
 24 person under the age of 18 years who has been adopted
 25 pursuant to this chapter, the department or licensed
 26 adoption agency shall disclose the identity of a birth
 27 parent and his or her most current address as shown in
 28 the records of the department or licensed adoption
 29 agency; upon the finding by the department or licensed
 30 adoption agency that a medical necessity or other
 31 extraordinary circumstances justify the disclosure.

32 (b) The uncertified copy of the original record of birth
 33 shall include all available medical and social information
 34 described in subdivision (b) of Section 10125 of the
 35 Health and Safety Code. The applicant shall be provided
 36 with a true, uncertified copy of the original record of
 37 birth bearing a notation indicating that the original
 38 record of birth has been amended.

39 (c) The uncertified copy of the amended record of
 40 birth shall include all available medical and social

1 information described in Section 10433 of the Health and
 2 Safety Code. A birth parent whose parental rights to a
 3 child placed for adoption were involuntarily terminated
 4 as a result of paragraph (8) of subdivision (a) of Section
 5 232 shall not be entitled access to the amended birth
 6 certificate under paragraph (2) of subdivision (a).

7 (d) The form of the request required by this section
 8 shall be prescribed by the department, shall provide for
 9 an affidavit to be executed by the requester that to the
 10 best of his or her knowledge he or she is an adoptee; that
 11 he or she is the birth parent of an adoptee; or that he or
 12 she is the adoptive parent of an adoptee. The department
 13 may adopt regulations requiring any additional means of
 14 identification from a requester as it deems necessary.

15 The department shall either respond to a request for
 16 information pursuant to this section or forward the
 17 request to a licensed adoption agency pursuant to
 18 subdivision (f) within 20 working days of its receipt of the
 19 request.

20 (e) The State Department of Social Services shall
 21 charge a fee of dollars (\$ / / / . / /); and a
 22 licensed adoption agency may charge a reasonable fee, in
 23 an amount established by the department by regulation,
 24 to defray the costs of processing requests for information
 25 pursuant to this section.

26 (f) The department may forward requests for
 27 information pursuant to this section to any licensed
 28 adoption agency that was a party to the adoption.

29 (g) Notwithstanding any other provision of law, the
 30 department shall announce the availability of the present
 31 method of arranging contact among an adult adoptee, his
 32 or her birth parent, and any living adoptive parent
 33 authorized by Section 229.50 utilizing a means of
 34 communication appropriate to inform the public
 35 effectively.

36 (h) This section is applicable to all adoptions without
 37 regard to when the relinquishment for or consent to the
 38 adoption was signed.

39 **SEC. 4.**

40 **SECTION 1.** Section 222.16 is added to the Civil

1 Code, to read:

2 222.16. The department shall adopt a form to be
3 signed by the birth parents at the time the
4 relinquishment is signed which shall provide as follows:

5 "Section 10439 of the Health and Safety Code
6 authorizes a person who has been adopted and who
7 attains the age of 18 years to obtain from the State
8 Registrar of Vital Statistics an uncertified copy of his or
9 her original birth certificate."

10 SEC. 2. Section 224.76 is added to the Civil Code,
11 read:

12 224.76. The department shall adopt a form to be
13 signed by the birth parents at the time the consent
14 signed which shall provide as follows:

15 "Section 10439 of the Health and Safety Code
16 authorizes a person who has been adopted and who
17 attains the age of 18 years to obtain from the State
18 Registrar of Vital Statistics an uncertified copy of his or
19 her original birth certificate."

20 SEC. 3. Section 229.80 is added to the Civil Code,
21 read:

22 229.80. Any reports, correspondence, memoranda,
23 case histories, or other materials received or compiled
24 by the department or a licensed adoption agency in making
25 placements for adoption or while participating in
26 adoption proceedings shall be confidential and shall not
27 be released or otherwise be made available, except as
28 otherwise specified in this article.

29 The department shall have access to files of all pending
30 adoptions of any licensed adoption agency, as necessary
31 for the discharge of its functions with respect to the
32 licensing of the adoption agency.

33 The department shall have access to closed adoption
34 files by order of a court, upon a finding of good cause for
35 that access. Closed adoption files include the sealed files
36 of completed adoptions and files of children with respect
37 to whom parental rights were terminated but who have
38 not been adopted.

39 SEC. 5.

40 SEC. 4. Section 1798.24 of the Civil Code is amended

1 to read:

2 1798.24. No agency may disclose any personal
3 information in a manner that would link the information
4 disclosed to the individual to whom it pertains unless the
5 disclosure of the information is:

6 (a) To the individual to whom the information
7 pertains.

8 (b) With the prior written voluntary consent of the
9 individual to whom the record pertains, but only if such
10 consent has been obtained not more than 30 days before
11 the disclosure, or in the time limit agreed to by the
12 individual in the written consent.

13 (c) To the duly appointed guardian or conservator of
14 the individual or a person representing the individual
15 provided that it can be proven with reasonable certainty
16 through the possession of agency forms, documents or
17 correspondence that such person is the authorized
18 representative of the individual to whom the information
19 pertains.

20 (d) To those officers, employees, attorneys, agents, or
21 volunteers of the agency which has custody of the
22 information if the disclosure is relevant and necessary in
23 the ordinary course of the performance of their official
24 duties and is related to the purpose for which the
25 information was acquired.

26 (e) To a person, or to another agency where the
27 transfer is necessary for the transferee agency to perform
28 its constitutional or statutory duties, and the use is
29 compatible with a purpose for which the information was
30 collected and the use or transfer is listed in the notice
31 provided pursuant to Section 1798.9 or accounted for in
32 accordance with Section 1798.25. With respect to
33 information transferred from a law enforcement or
34 regulatory agency, or information transferred to another
35 law enforcement or regulatory agency, a use is
36 compatible if the use of the information requested is
37 needed in an investigation of unlawful activity under the
38 jurisdiction of the requesting agency or for licensing,
39 certification, or regulatory purposes by that agency.

40 (f) To a governmental entity when required by state

1 or federal law.

2 (g) Pursuant to the California Public Records Act
3 Chapter 3.5 (commencing with Section 6250) of Division
4 7 of Title 1 of the Government Code.

5 (h) To a person who has provided the agency with
6 advance adequate written assurance that the information
7 will be used solely for statistical research or reporting
8 purposes, but only if the information to be disclosed is in
9 a form that will not identify any individual.

10 (i) Pursuant to a determination by the agency which
11 maintains information that compelling circumstances
12 exist which affect the health or safety of an individual, if
13 upon the disclosure notification is transmitted to the
14 individual to whom the information pertains at his or her
15 last known address. Disclosure shall not be made if it is in
16 conflict with other state or federal law.

17 (j) To the State Archives of the State of California as
18 a record which has sufficient historical or other value to
19 warrant its continued preservation by the California state
20 government, or for evaluation by the Director of General
21 Services or his or her designee to determine whether the
22 record has further administrative, legal, or fiscal value.

23 (k) To any person pursuant to a subpoena, court order,
24 or other compulsory legal process if, before the
25 disclosure, the agency reasonably attempts to notify the
26 individual to whom the record pertains, and if the
27 notification is not prohibited by law.

28 (l) To any person pursuant to a search warrant.

29 (m) Pursuant to Article 3 (commencing with Section
30 1800) of Chapter 1 of Division 2 of the Vehicle Code.

31 (n) For the sole purpose of verifying and paying
32 government health care service claims made pursuant to
33 Division 9 (commencing with Section 10000) of the
34 Welfare and Institutions Code.

35 (o) To a law enforcement or regulatory agency when
36 required for an investigation of unlawful activity or for
37 licensing, certification, or regulatory purposes, unless the
38 disclosure is otherwise prohibited by law.

39 (p) To another person or governmental organization
40 to the extent necessary to obtain information from the

1 person or governmental organization as necessary for an
2 investigation by the agency of a failure to comply with a
3 specific state law which the agency is responsible for
4 enforcing.

5 (q) To the Office of Information Practices when the
6 transfer is necessary for that office to investigate a
7 complaint it has received regarding an alleged violation
8 of this chapter or to perform its mediation functions,
9 provided that the Office of Information Practices has
10 received the written voluntary consent of the individual
11 to whom the information pertains for such a transfer.

12 (r) To an adopted person who has attained the age of
13 ~~18 years an adoptive parent of an adoptee who has not~~
14 ~~attained the age of 18 years, and the birth parent of an 18~~
15 ~~years and the birth parent of an~~ adoptee who has attained
16 the age of 18 years.

17 (s) To a child or a grandchild of an adopted person and
18 disclosure is limited to medically necessary information
19 pertaining to the adopted person's birth parents.
20 However the information, or the process for obtaining
21 the information, shall not include or reveal the identity
22 of the birth parents. The State Department of Social
23 Services shall adopt regulations governing the release of
24 information pursuant to this subdivision by July 1, 1985.
25 The regulations shall require licensed adoption agencies
26 to provide the same services provided by the department
27 as established by this subdivision.

28 (t) To a committee of the Legislature or to a Member
29 of the Legislature, or his or her staff when authorized in
30 writing by the member, where such member has
31 permission to obtain the information from the individual
32 to whom it pertains or where the member provides
33 reasonable assurance that he or she is acting in behalf of
34 the individual.

35 (u) To the University of California or a nonprofit
36 educational institution conducting scientific research,
37 provided the request for information includes assurances
38 of the need for personal information, procedures for
39 protecting the confidentiality of the information and
40 assurances that the personal identity of the subject shall

1 not be further disclosed in individually identifiable form
 2 (v) To an insurer if authorized by Chapter 5
 3 (commencing with Section 10900) of Division 4 of the
 4 Vehicle Code.

5 This article shall not be construed to require the
 6 disclosure of personal information to the individual to
 7 whom the information pertains when that information
 8 may otherwise be withheld as set forth in Section 1798.40.

9 **SEC. 6.** Section 10432.1 of the Health and Safety Code
 10 is amended to read:

11 **10432.1.** A new certificate shall not be established by
 12 the State Registrar under any of the following
 13 circumstances:

14 (a) When requested by the adopting parent or
 15 parents.

16 (b) When a court exercises its discretion to direct that
 17 a new certificate not be established.

18 (c) When requested by an adoptee who is 12 years of
 19 age or older and who is deemed sufficiently mature by a
 20 court to decide whether to request a new certificate or to
 21 continue to use his or her original birth certificate.

22 **SEC. 7.** Section 10433 of the Health and Safety Code
 23 is amended to read:

24 **10433.** (a) The new birth certificate shall bear the
 25 following information:

26 (1) The full name of the child as shown in the report
 27 of adoption :

28 (2) The date and time of birth of the adoptee.

29 (3) The sex of the adoptee.

30 (4) The hospital in which the adoptee was born and
 31 the name of the attending physician and surgeon at the
 32 birth.

33 (5) The county and the city in which the adoptee was
 34 born and the country of birth.

35 (6) The full name of the adoptive father and the
 36 adoptive mother.

37 (7) The dates and places of birth of the adoptive father
 38 and the adoptive mother.

39 (8) The signature of the person issuing the new birth
 40 certificate.

1 (b) When the information required by this section is
 2 not known, the new birth certificate shall reflect this by
 3 a notation of "unknown" in the appropriate place on the
 4 new birth certificate.

5 (e)

6 **SEC. 5.** Section 10434.5 is added to the Health and
 7 Safety Code, to read:

8 **10434.5.** (a) A new birth certificate prepared and
 9 filed pursuant to this article shall be the official birth
 10 certificate for the adoptee named on the certificate and
 11 shall subsequently be used for all purposes for which a
 12 birth certificate is required. The new birth certificate
 13 shall be available at all times to the adoptive parents and
 14 the adoptee.

15 (d)

16 (b) (1) Upon request, the State Registrar shall make
 17 available to the birth parents of an adoptee who has
 18 attained the age of 18 years, ~~an uncertified~~ a short form
 19 copy of the adoptee's new birth certificate ; ~~without an~~
 20 order of the superior court.

21 (2) The form of request required by this subdivision
 22 shall be prescribed by the State Department of Health
 23 Services and shall provide for a notarized affidavit to be
 24 executed by the requester that to the best of his or her
 25 knowledge, he or she is a birth parent. *The State*
 26 *Department of Social Services shall execute a notarized*
 27 *affidavit certifying that the birth parents of an adoptee*
 28 *who has attained the age of 18 years and who are seeking*
 29 *to obtain a short form copy of the adoptee's new birth*
 30 *certificate from the State Registrar did not have their*
 31 *parental rights terminated involuntarily. The form of the*
 32 *request required by this subdivision shall include both*
 33 *the affidavit executed by the requesting birth parent and*
 34 *the affidavit executed by the State Department of Social*
 35 *Services.*

36 (3) The State Department of Health Services may
 37 establish a fee to defray the cost of providing information
 38 or records pursuant to this subdivision. ~~The amount of the~~
 39 ~~fee shall not exceed~~ *///// dollars (\$/////)* in the
 40 1992/93 fiscal year, but this amount may thereafter be

1 adjusted by the state department for inflation.

2 (4) A birth parent whose parental rights to a child
3 placed for adoption were involuntarily terminated as a
4 result of paragraph (8) of subdivision (a) of Section 232
5 of the Civil Code shall not be entitled access to the new
6 birth certificate.

7 **SEC. 8.**

8 (5) *This subdivision is applicable to all new birth*
9 *certificates issued in conjunction with an adoption*
10 *without regard to when the relinquishment for or*
11 *consent to the adoption was signed.*

12 **SEC. 6.** Section 10433.4 of the Health and Safety Code
13 is repealed.

14 **SEC. 9.** Section 10438.5 is added to the Health and
15 Safety Code, to read:

16 **10438.5.** (a) No provision of existing law shall be
17 construed to prevent the addition of the name of a birth
18 father to an original birth certificate that has been sealed
19 if the name of a birth father does not appear on the
20 original birth certificate. The court shall order that the
21 name of the birth father be entered on the original birth
22 certificate, provided all of the following requirements are
23 met:

24 (1) The man representing himself to be the birth
25 father shall petition the court for the entry of his name
26 on the original certificate of birth as the birth father.

27 (2) Actual notice of the filing of the petition shall be
28 served on the birth mother named on the original birth
29 certificate, if she is living.

30 (3) The court shall make a finding of paternity based
31 upon a hearing at which the birth mother of the child
32 may testify regarding the claim of paternity. This
33 provision shall not be construed as requiring the
34 appearance of the birth mother for paternity to be
35 determined.

36 (b) The addition of the name of the birth father to an
37 original birth certificate shall neither affect any of the
38 parental rights of the birth father that have been
39 terminated nor shall it affect the rights of the adoptive
40 parents.

1 **SEC. 10.**

2 **SEC. 7.** Section 10439 of the Health and Safety Code
3 is amended to read:

4 10439. (a) Except as specified in subdivision (b), all
5 records and information specified in this article, other
6 than the newly issued birth certificate, shall be sealed
7 immediately upon the filing of the newly issued birth
8 certificate and shall be available only upon the order of
9 the superior court of the county of residence of the
10 adopted child or the superior court of the county
11 granting the order of adoption.

12 No such order shall be granted by the superior court
13 unless a verified petition setting forth facts showing the
14 necessity of such an order has been presented to the court
15 and good and compelling cause is shown for the granting
16 of the order. The clerk of the superior court shall send a
17 copy of the petition to the State Department of Social
18 Services and the department shall send a copy of all
19 records and information it has concerning the adopted
20 person with the name and address of the birth parents
21 removed to the court. The court must review these
22 records before making an order and the order should so
23 state.

24 The name and address of the birth parents shall be
25 given to the petitioner only if he or she can demonstrate
26 that the name and address, or either of them, are
27 necessary to assist him or her in establishing a legal right.

28 (b) (1) Upon request, the State Registrar shall make
29 available to an adoptee who has attained the age of 18
30 years, an uncertified, copy of his or her original record of
31 birth, bearing a notation indicating that the original
32 record of birth has been amended; ~~without an order of~~
33 ~~the superior court.~~

34 (2) The form of request required by this subdivision
35 shall be prescribed by the State Department of Health
36 Services and shall provide for a notarized affidavit to be
37 executed by the requester that to the best of his or her
38 knowledge, he or she is an adoptee. Services.

39 (3) The State Department of Health Services may
40 establish a fee to defray the cost of providing information

1 or records pursuant to this subdivision. The amount of
2 the fee shall not exceed dollars (); in
3 the 1992/93 fiscal year, but this amount may thereafter be
4 adjusted by the state department for inflation.

5 SEC. 11. Notwithstanding Section 17610 of the
6 Government Code, if the Commission on State Mandates
7 determines that this act contains costs mandated by the
8 state, reimbursement to local agencies and school
9 districts for those costs shall be made pursuant to Part 2
10 (commencing with Section 17500) of Division 4 of Title
11 2 of the Government Code. If the statewide cost of the
12 claim for reimbursement does not exceed one million
13 dollars (\$1,000,000), reimbursement shall be made from
14 the State Mandates Claims Fund. Notwithstanding
15 Section 17580 of the Government Code, unless otherwise
16 specified in this act, the provisions of this act shall become
17 operative on the same date that the act takes effect
18 pursuant to the California Constitution.

19 (4) This subdivision is applicable to all original records
20 of birth of adoptees without regard to when the
21 relinquishment for or consent to the adoption was signed