



General Assembly

Substitute Bill No. 5764

February Session, 2000

An Act Promoting The Rights Of Adopted Individuals.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (a) Notwithstanding the provisions of chapter 803
2 of the general statutes, if the parental rights of biological parents of an
3 individual have been terminated in this state on or after the effective
4 date of this act, such individual, on attaining eighteen years of age or
5 any time thereafter, (1) may examine the individual's original birth
6 certificate or birth record and receive a copy of such certificate or
7 record pursuant to section 7-51 of the general statutes, and (2) may
8 access information in possession of a child-placing agency or the
9 Department of Children and Families that identifies the individual's
10 biological parents. Any information provided in this section shall not
11 be released unless the registrar of vital statistics, the Department of
12 Public Health, any child-placing agency or the Department of Children
13 and Families, as the case may be, is satisfied as to the identity of the
14 person requesting the information.

15 (b) An individual requesting information under this section who is
16 of the opinion that an item of information is being withheld may
17 petition the Probate Court for an order for release of the information.

18 Sec. 2. Section 7-53 of the general statutes is repealed and the
19 following is substituted in lieu thereof:

20 Upon receipt of the record of adoption referred to in subsection (e)
21 of section 45a-745 or of other evidence satisfactory to the Department
22 of Public Health that a person born in this state has been adopted, said
23 department shall prepare a new birth certificate of such adopted
24 person. Such new birth certificate shall include all the information
25 required to be set forth in a certificate of birth of this state as of the date
26 of birth, except that the adopting parents shall be named as the parents
27 instead of the genetic parents and, when a certified copy of the birth of
28 such person is requested by an authorized person, a copy of the new
29 certificate of birth as prepared by the department shall be provided,
30 except that the registrar of vital statistics of any town in which the
31 birth of such person was recorded or the Department of Public Health
32 [may] shall issue a certified copy of the original certificate of birth on
33 file, marked with a notation by the issuer that such original certificate
34 of birth has been superseded by a new certificate of birth as on file, [or
35 may] and shall permit the examination of such record upon a written
36 order, in accordance with the provisions of section 45a-751, signed by
37 the judge of the probate court for the district in which the adopted
38 person was adopted or born or upon written order of the Probate
39 Court in accordance with the provisions of section 45a-752, stating that
40 the court is of the opinion that the examination of the birth record of
41 the adopted person by the adopting parents or the adopted person, if
42 over eighteen years of age, or by the person wishing to examine the
43 same or that the issuance of a copy of such birth certificate to the
44 adopting parents, adopted person, if over eighteen years of age or to
45 the person applying therefor will not be detrimental to the public
46 interest or to the welfare of the adopted person or to the welfare of the
47 genetic or adoptive parent or parents. Immediately after a new
48 certificate of birth has been prepared, an exact copy of such certificate,
49 together with a written notice of the evidence of adoption, shall be
50 transmitted by the department to the registrar of vital statistics of each
51 town in this state in which the birth of the adopted person is recorded.
52 The new birth certificate, the original certificate of birth on file and the
53 evidence of adoption shall be filed and indexed, under such
54 regulations as the Department of Public Health makes to carry out the

55 provisions of this section and to prevent access to the records of birth
56 and adoption and the information therein contained without due
57 cause, except as herein provided. Any person, except such parents or
58 adopted person, who discloses any information contained in such
59 records, except as herein provided, shall be fined not more than five
60 hundred dollars or imprisoned not more than six months or both.
61 Whenever a certified copy of an adoption decree from a court of a
62 foreign country, having jurisdiction of the adopted person, is filed with
63 the Department of Public Health under the provisions of this section,
64 such decree, when written in a language other than English, shall be
65 accompanied by an English translation, which shall be subscribed and
66 sworn to as a true translation by an American consulate officer
67 stationed in such foreign country.

68 Sec. 3. Section 45a-744 of the general statutes is repealed and the
69 following is substituted in lieu thereof:

70 It is the policy of the state of Connecticut (1) to make available to
71 adopted and adoptable persons who are adults [(1)] information
72 concerning their background and status; to give the same information
73 to their adoptive parent or parents; and, in any case where such adult
74 persons are deceased, to give the same information to their adult
75 descendants, including adopted descendants except a copy of their
76 original birth certificate as provided by section 7-51 unless permitted
77 under section 1 of this act; (2) except as provided in section 1 of this
78 act, to provide for consensual release of additional information which
79 may identify the biological parents or relatives of such adult adopted
80 or adoptable persons when release of such information is in the best
81 interests of such persons; (3) except as provided in subdivisions (4) and
82 (5) of this section, to protect the right to privacy of all parties to
83 termination of parental rights, statutory parent and adoption
84 proceedings; (4) to make available to any biological parent of an adult
85 adopted or adult adoptable person, including a person claiming to be
86 the father who was not a party to the proceedings for termination of
87 parental rights, information which would tend to identify such adult
88 adopted or adult adoptable person; and (5) to make available to any

89 adult biological sibling of an adult adopted or adult adoptable person
90 information which would tend to identify such adult adopted or adult
91 adoptable person.

HS Committee Vote: Yea 11 Nay 7 JF C/R JUD

JUD Committee Vote: Yea 40 Nay 0 JFS