



House of Representatives

General Assembly

File No. 485

January Session, 2001

Substitute House Bill No. 6569

House of Representatives, April 26, 2001

The Committee on Public Health reported through REP. EBERLE of the 15th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING VITAL RECORDS.

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

1 Section 1. Section 1-1e of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 Nothing in sections 1-1d, 3-94b to 3-94e, inclusive, 7-6, 7-51, 7-53, 7-
4 54, [7-56,] 7-172, 9-12, 10a-207, 14-14, 14-36, 14-40a, 14-41, 14-44, 14-61,
5 14-73, 14-214, 14-276, 17a-1, 17a-152, 17b-75, 17b-81, 17b-223, 17b-748,
6 18-73, 18-87, 19a-512, 20-10, 20-130, 20-146, 20-188, 20-213, 20-217, 20-
7 236, 20-250, 20-252, 20-270, 20-291, 20-316, 20-361, 20-590, 20-592, 26-38,
8 27-140g, 29-156a, 30-1, 30-45, 30-86a, 31-222, 38a-482, 38a-609, 38a-633,
9 38a-786, 45a-263, 45a-502, 45a-504, 45a-606, 45a-754, 46b-129, 46b-215,
10 52-572, 53-304, 53-330, 53a-70 or 53a-87 shall impair or affect any act
11 done, offense committed or right accruing, accrued or acquired, or an
12 obligation, liability, penalty, forfeiture or punishment incurred prior to
13 October 1, 1972, and the same may be enjoyed, asserted and enforced,
14 as fully and to the same extent and in the same manner as they might

15 under the laws existing prior to said date, and all matters civil or
16 criminal pending on said date or instituted thereafter for any act done,
17 offense committed, right accruing, accrued, or acquired, or obligation,
18 liability, penalty, forfeiture, or punishment incurred prior to said date
19 may be continued or instituted under and in accordance with the
20 provisions of the law in force at the time of the commission of said act
21 done, offense committed, right accruing, accrued, or acquired, or
22 obligation, liability, penalty, forfeiture or punishment incurred.

23 Sec. 2. Section 7-36 of the general statutes is repealed and the
24 following is substituted in lieu thereof:

25 [The term "registrar of vital statistics" or "registrar" as used in this
26 chapter means the registrar of births, marriages and deaths or any
27 public official charged with the care of returns relating to vital
28 statistics.]

29 As used in this chapter, sections 19a-40 to 19a-45, inclusive, and
30 section 27 of this act, unless the context otherwise requires:

31 (1) "Registrar of vital statistics" or "registrar" means the registrar of
32 births, marriages, deaths and fetal deaths or any public official charged
33 with the care of returns relating to vital statistics;

34 (2) "Registration" means the process by which vital records are
35 completed, filed and incorporated into the official records of the
36 department;

37 (3) "Institution" means any public or private facility, that provides
38 inpatient medical, surgical or diagnostic care or treatment, or nursing,
39 custodial or domiciliary care, or to which persons are committed by
40 law;

41 (4) "Vital records" means a certificate of birth, death, fetal death or
42 marriage;

43 (5) "Certified copy" means a copy of a birth, death, fetal death or
44 marriage certificate that (A) includes all information on the certificate
45 except such information that is nondisclosable by law, (B) is issued or
46 transmitted by any registrar of vital statistics, (C) includes an attested
47 signature and the raised seal of an authorized person, and (D) if
48 submitted to the department, includes all information required by the
49 commissioner;

50 (6) "Uncertified copy" means a copy of a birth, death, fetal death or
51 marriage certificate that includes all information contained in a
52 certified copy except an original attested signature and a raised seal of
53 an authorized person;

54 (7) "Authenticate" or "authenticated" means to affix to a vital record
55 in paper format the official seal, or to affix to a vital record in electronic
56 format the user identification, password, or other means of electronic
57 identification, as approved by the department, of the creator of the
58 vital record, or the creator's designee, by which affixing the creator of
59 such paper or electronic vital record, or the creator's designee, affirms
60 the integrity of such vital record;

61 (8) "Attest" means to verify a vital record in accordance with the
62 provisions of subdivision (5) of this section;

63 (9) "Correction" means to change or enter new information on a
64 certificate of birth, marriage, death or fetal death, within one year of
65 the date of the vital event recorded in such certificate, in order to
66 accurately reflect the facts existing at the time of the recording of such
67 vital event, where such changes or entries are to correct errors on such
68 certificate due to inaccurate or incomplete information provided by the
69 informant at the time the certificate was prepared, or to correct
70 transcribing, typographical or clerical errors;

71 (10) "Amendment" means to (A) change or enter new information
72 on a certificate of birth, marriage, death or fetal death, more than one

73 year after the date of the vital event recorded in such certificate, in
74 order to accurately reflect the facts existing at the time of the recording
75 of the event, (B) create a replacement certificate of birth for matters
76 pertaining to parentage and gender change, or (C) change a certificate
77 of birth, marriage, death or fetal death to reflect facts that have
78 changed since the time the certificate was prepared, including, but not
79 limited to, a legal name change or a modification to a cause of death;

80 (11) "Acknowledgement of paternity" means to legally acknowledge
81 paternity of a child pursuant to section 46b-172;

82 (12) "Adjudication of paternity" means to legally establish paternity
83 through an order of a court of competent jurisdiction;

84 (13) "Parentage" includes matters relating to adoption, gestational
85 agreements, paternity and maternity;

86 (14) "Department" means the Department of Public Health; and

87 (15) "Commissioner" means the Commissioner of Public Health or
88 the commissioner's designee.

89 Sec. 3. Section 7-40 of the general statutes is repealed and the
90 following is substituted in lieu thereof:

91 The registrar of vital statistics in each town shall have an official seal
92 [, which] that shall be provided by the town [, to be used in
93 authenticating] and shall be used to authenticate certificates and copies
94 of record. No person, other than the registrar of vital statistics or the
95 registrar's authorized agent, may possess any such official seal or any
96 facsimile thereof.

97 Sec. 4. Section 7-41 of the general statutes is repealed and the
98 following is substituted in lieu thereof:

99 [All cards or blanks provided for returns to be made by the registrar

100 of vital statistics shall be exact copies of the forms for the returns to
101 such registrar. Each registrar shall, within sixty days after a return has
102 been made to him, record the same and at once place it in a temporary
103 binder in chronological order. When any registrar has accumulated a
104 sufficient number of vital statistics returns to fill a temporary binder,
105 such returns, arranged chronologically with an alphabetical index
106 preceding the same, shall be at once permanently bound in book form
107 and placed among the records of his office. When birth, marriage and
108 death certificates are bound in one book, all such certificates for a
109 given period of time shall be included, and they shall be assembled in
110 the order hereinbefore mentioned, each class of certificates being
111 arranged chronologically, and each class being immediately preceded
112 by an alphabetical index thereof. Each marriage certificate shall be
113 indexed in the names of both bride and groom. The registrar shall
114 prepare the indexes required by this section and shall receive, from the
115 town, a fee of five cents for each name so indexed. The temporary
116 binder required to be used under the provisions of this section shall be
117 contracted for by the Comptroller and furnished to registrars of vital
118 statistics at cost, the same to be paid for by the town on a requisition
119 by the Comptroller approved by the registrar. Any person who
120 violates any provision of this section shall be fined not more than
121 seven dollars.]

122 Each registrar of vital statistics shall keep records in accordance
123 with regulations adopted by the commissioner in accordance with
124 chapter 54. Any certified copy of a vital record submitted to the
125 department shall include all information required by the
126 commissioner.

127 Sec. 5. Section 7-42 of the general statutes is repealed and the
128 following is substituted in lieu thereof:

129 Each registrar of vital statistics shall ascertain as accurately as [he]
130 the registrar can all marriages, [and] deaths and fetal deaths, and all

131 births, upon the affidavit of the father or mother, occurring in [his] the
132 registrar's town, and record the same [in a book or books kept by him
133 for that purpose,] in such form and with such particulars as are
134 prescribed by the [Department of Public Health. He] department. The
135 registrar shall give licenses to marry, according to provisions of law, [;]
136 shall make and perfect all records of the birth and death of the persons
137 born or deceased in [his] the registrar's town, and, when any birth or
138 death happens of which no certificate is returned to [him] the registrar,
139 shall obtain the information required by law respecting such birth or
140 death. [He] The registrar shall include the Social Security numbers of
141 both persons on all marriage licenses. [He shall distribute] The
142 registrar shall make available to all persons in [his] the registrar's town
143 who, in [his] the registrar's judgment, are likely to need them, blank
144 forms for the certificates and returns required by law to be made to
145 [him;] the registrar, and shall amend or correct [such] certificates of
146 births, marriages, deaths and fetal deaths that occurred in the
147 registrar's town, and the records thereof, whenever [he] the registrar
148 discovers transcribing, typographical or clerical errors upon the face
149 thereof. [, and shall insert or supply therein omissions of facts existing
150 at the time of the recording of such certificates except that all errors or
151 omissions concerned with questions of parentage shall be within the
152 sole jurisdiction of the Department of Public Health as provided in
153 section 19a-42. He] When the registrar makes a correction on a
154 certificate of birth, marriage, death or fetal death, the registrar shall,
155 within ten days, forward an authenticated copy of the corrected
156 certificate to the department and any other registrar having a copy of
157 the certificate. The registrar shall maintain sufficient documentation, as
158 prescribed by the commissioner, to support such correction, and shall
159 ensure the confidentiality of such documentation as required by law.
160 The date of the correction and a summary description of the evidence
161 submitted in support of the correction shall be made part of the record.
162 The certificate shall not be marked "Amended" unless an amendment
163 is made as provided in subdivision (10) of section 7-36, as amended by

164 this act. The registrar shall record on each certificate of birth, marriage,
165 death or fetal death received for record the date of its receipt, by
166 writing on the certificate or through electronic means. The registrar of
167 vital statistics from the town where a child was born may
168 electronically access birth data for such child to make corrections and
169 amendments as requested by the parent or parents, the reporting
170 hospital, or the department, excluding amendments regarding
171 parentage and gender change. Amendments to vital records made by
172 the registrar of vital statistics in the town of occurrence shall be made
173 in accordance with section 19a-42, as amended by this act. The
174 registrar shall keep the records of [his] the registrar's office, when a
175 [fire-proof] fireproof safe is not provided for [his] the registrar's use, in
176 the vaults provided for the land records of [his] the town. [He] The
177 registrar may, with the approval of the [Department of Public Health]
178 department, store any records not in current use in a location other
179 than [his] the registrar's office or [said] such vaults, provided such
180 location shall be approved by the Public Records Administrator, and
181 provided such location is within the limits of such town. [He] The
182 registrar shall, on or before the seventh day of each month, send to the
183 [Commissioner of Public Health] commissioner an [attested]
184 authenticated copy of each certificate of birth, marriage, death and
185 fetal death received by [him] the registrar for the calendar month next
186 preceding or a notification that no such certificate has been received,
187 [and on or before the fifteenth day of every month an attested copy of
188 each certificate of birth and of each certificate of marriage received by
189 him for the month next preceding or a notification that no such
190 certificate has been received. Both such notifications] Such notification
191 shall be in a [form] format prescribed by the [Department of Public
192 Health. The registrar shall also transmit from time to time to said
193 commissioner an attested copy of all other certificates of births,
194 marriages and deaths which he acquires in amending or completing
195 his records. The copy shall be made in a form prescribed by the
196 Department of Public Health and upon blanks provided by said]

197 department. Copies of certificates of births, marriages, [and] deaths
198 and fetal deaths, transmitted to [said] the commissioner as required
199 [in] under this section, shall be plain, complete and legible transcripts
200 of the certificates. If a transcript is illegible [, in the opinion of the
201 commissioner, he] or incomplete, the commissioner shall require of the
202 registrar [another copy legibly transcribed. When a registrar having
203 custody of an original of a certificate of birth, marriage or death
204 corrects the certificate, he shall, within ten days, forward an amended
205 certificate to any registrar having a copy of the certificate. Each
206 registrar shall inscribe upon the back of each certificate of birth,
207 marriage or death received for record the date of its reception] a
208 complete or legible copy. Each registrar of vital statistics shall also
209 transmit to the registrars of voters for [his] the registrar's town a notice
210 of the death of any person seventeen years of age or older, at the same
211 time the registrar transmits the [attested] authenticated copy of the
212 certificate of death for such person to the [Commissioner of Public
213 Health] commissioner under this section.

214 Sec. 6. Section 7-44 of the general statutes is repealed and the
215 following is substituted in lieu thereof:

216 (a) When it appears from the certificate of a birth, marriage, [or]
217 death or fetal death filed with any registrar of vital statistics that the
218 residence of the mother of the child or that of either of the parties to
219 the marriage or that of the deceased was in some other town in this
220 state or a town in any other state where town officials retain custody of
221 such certificates, at the time of such birth, marriage, [or] death or fetal
222 death, such registrar shall at once [make a certified] transmit an
223 authenticated copy of such certificate of birth, marriage, [or death and
224 transmit the same] death or fetal death, including all information
225 contained on such certificate, to the registrar of the town in which the
226 mother of such child or either of the contracting parties to such
227 marriage or such deceased resided at the time of such birth, marriage,
228 [or] death or fetal death. Such copy shall be in the [form] format

229 prescribed by the [Department of Public Health and on blanks
230 provided by said department, and shall be attested by the official seal
231 of the town or other municipal body under which such registrar holds
232 office] department. Any registrar of vital statistics of any town or city
233 in this state, receiving such [certified] authenticated copy of a birth,
234 marriage, [or] death or fetal death certificate from a registrar of a town
235 or city in this or any other state, shall record the same, but shall not
236 transmit a copy thereof to the [Commissioner of Public Health]
237 commissioner.

238 (b) Any registrar of vital statistics of any town or city in this state
239 who has authorized access to an electronic vital records system may
240 meet the certificate filing requirements of this section by using such
241 system, except that if the town of residence does not have access to
242 such system, the registrar of the town in which the vital event occurred
243 shall use manual procedures to transmit an authenticated copy of the
244 certificate to the registrar of the town of residence.

245 (c) Each registrar of vital statistics in this state with authorized
246 access to the electronic vital records system of the department may
247 access vital records through such system for the purpose of viewing,
248 printing and issuing certificates to authorized individuals in
249 accordance with sections 7-51 and 7-51a, as amended by this act. Only
250 the registrar of the town in which the vital event occurred or the
251 department may make corrections or amendments to any such
252 certificates.

253 Sec. 7. Section 7-45 of the general statutes is repealed and the
254 following is substituted in lieu thereof:

255 Each person making any certificate of birth, marriage, [or] death or
256 fetal death, or any copy of such certificate for the [Commissioner of
257 Public Health] commissioner, or any sexton's report required by law,
258 shall cause the same to be typewritten or printed in a legible manner as
259 to all material information or facts required by the provisions of

260 sections 7-48, as amended by this act, 7-60, as amended by this act, 7-
261 62b, as amended by this act, 46b-25 to 46b-27, inclusive, and 46b-29 to
262 46b-30, inclusive, and contained in such certificate. [and] If the
263 certificate is in paper format, such person shall sign the [same]
264 certificate in black ink, [and the person signing such certificate] shall
265 state therein in what capacity [he] such person so signs, and shall type
266 or print in a legible manner the name of each person signing such
267 certificate, under such person's signature. If the certificate is in an
268 electronic format, such certificate shall be authenticated by the
269 electronic vital records system of the department. Any certificate not
270 complying with the requirements of this section shall be returned by
271 the registrar with whom it is filed to the person making the same for
272 the proper correction.

273 Sec. 8. Section 7-46 of the general statutes is repealed and the
274 following is substituted in lieu thereof:

275 The registrars shall complete the records of their respective towns
276 by adding thereto a record of all the births, marriages, [and] deaths
277 and fetal deaths that have occurred in such towns since the date of
278 [their] incorporation of such towns, of which no certificate has been
279 returned to their office, [;] provided the facts upon which such record
280 is made have been obtained from the record of a public official, a
281 church society or under section 7-42, as amended by this act, 7-48, as
282 amended by this act, or 7-62b, as amended by this act, and such record
283 shall indicate the source from which such facts were obtained. Any
284 registrar who knowingly makes any false entry of the record of any
285 birth, marriage, [or] death or fetal death shall be fined not more than
286 fifty dollars or imprisoned not more than three months or both.

287 Sec. 9. Section 7-47 of the general statutes is repealed and the
288 following is substituted in lieu thereof:

289 Each registrar of vital statistics shall keep alphabetically arranged
290 separate indexes for each group of vital events and shall enter therein

291 the name of each person whose birth, marriage, [or] death or fetal
292 death is recorded by [him] the registrar.

293 Sec. 10. Section 7-48 of the general statutes is repealed and the
294 following is substituted in lieu thereof:

295 (a) Not later than ten days after each live birth which occurs in this
296 state, a birth certificate shall be filed with the registrar of vital statistics
297 in the town in which the birth occurred and the certificate shall be
298 registered if properly filed, by manual or electronic systems as
299 prescribed by the commissioner. On and after January 1, 1994, each
300 hospital with two hundred or more live births in calendar year 1990, or
301 any subsequent calendar year, shall electronically transmit birth
302 information data to the [Department of Public Health] department in a
303 computer format approved by [said] the department. Each birth
304 certificate shall contain such information as the [Department of Public
305 Health] department may require. Medical and health information
306 which is required by the department, including information regarding
307 voluntary acknowledgments of paternity and whether the child was
308 born out of wedlock, shall be recorded on a confidential portion of the
309 certificate to be sent directly to the department. Such confidential
310 records may be used for statistical and health purposes [. This
311 confidential portion shall be destroyed at the end of three years] by the
312 department or by a local director of health, as authorized by the
313 department, for records related to the town served by the local director
314 of health and where the mother was a resident at the time of the birth
315 of the child. Such birth certificate and confidential records may be used
316 internally by the hospital for records transmitted by the hospital for
317 statistical, health and quality assurance purposes. The department
318 shall give due consideration to national uniformity in vital statistics in
319 prescribing the [form] format and content of such certificate.

320 (b) When a birth occurs in an institution or en route thereto, the
321 person in charge of the institution or [his] such person's designated

322 representative shall [complete the certificate, secure the signatures
323 required] obtain all available data required by the certificate, prepare
324 the certificate, certify that the child was born alive at the place and
325 time and on the date stated either by signature or by an electronic
326 process approved by the commissioner and file the certificate with the
327 registrar of vital statistics in the town in which the birth occurred, not
328 later than ten days after such birth. The physician or other person in
329 attendance, and the physician, institution or other person providing
330 prenatal care, shall provide the medical information required by the
331 certificate [and certify to the fact of birth] not later than seventy-two
332 hours after the birth. [If the physician does not certify to the fact of
333 birth within such time period, the person in charge of the institution
334 shall complete and sign the certificate.]

335 (c) When a birth occurs outside an institution, the certificate shall be
336 prepared and filed by the physician or midwife in attendance at or
337 immediately after the birth or, in the absence of such a person, by the
338 father or mother.

339 (d) When a birth occurs in a moving conveyance and the child is
340 first removed from the conveyance in this state, the birth shall be
341 registered in this state and the place where the child is first removed
342 shall be considered the place of birth.

343 Sec. 11. Section 7-50 of the general statutes is repealed and the
344 following is substituted in lieu thereof:

345 No certificate of birth shall contain any specific statement that the
346 child was born in or out of wedlock or reference to illegitimacy of the
347 child or to the marital status of the mother, except that information on
348 whether the child was born in or out of wedlock and the marital status
349 of the mother shall be recorded on a confidential portion of the
350 certificate pursuant to section 7-48, as amended by this act. Upon the
351 [filing of a voluntary acknowledgment or adjudication of paternity]
352 completion of an acknowledgement of paternity at a hospital,

353 concurrent with the hospital's electronic transmission of birth data to
354 the department, or at a town in the case of a home birth, concurrent
355 with the registration of the birth data by the town, the
356 acknowledgement shall be filed in the paternity registry maintained by
357 the [Department of Public Health] department, as required by section
358 19a-42a, and the name of the father of a child born out of wedlock shall
359 be entered in or upon the birth certificate or birth record of such child.
360 [Thereafter, the] All post birth acknowledgements or adjudications of
361 paternity received by the department shall be filed in the paternity
362 registry maintained by the department, and the name of the father of
363 the child born out of wedlock shall be entered in or upon the birth
364 record or certificate of such child by the department, if there is no
365 paternity already recorded on the birth certificate. If another father's
366 information is recorded on the certificate, the original father's
367 information shall not be removed except upon receipt by the
368 department of a court order directing the department to remove the
369 original father's information, specifically referenced by name, and
370 replace such information with the name of the newly adjudicated
371 father, specifically referenced by name. The name of the father on
372 [such] a birth certificate or birth record shall be removed or changed
373 only upon the filing of a rescission in such registry, as provided in
374 section 19a-42a, or upon the order of a court of competent jurisdiction
375 establishing that the father to be removed, specifically referenced by
376 name, is not the child's father. The Social Security number of the father
377 of a child born out of wedlock may be entered in or upon the birth
378 certificate or birth record of such child if such disclosure is done in
379 accordance with 5 USC 552a note.

380 Sec. 12. Section 7-51 of the general statutes is repealed and the
381 following is substituted in lieu thereof:

382 [With the exception of the chief executive officer of the municipality
383 or his authorized agent, the local director of health or his authorized
384 agent, attorneys at law, title examiners and members of genealogical

385 societies incorporated or authorized to do business or conduct affairs
386 in this state, no person, except the person whose birth is recorded, if
387 over eighteen years of age, his children or spouse or his parent,
388 guardian or grandparent if a minor, shall have any access to or be
389 permitted to examine the original or any copy of the birth certificate or
390 birth record, of any person, nor shall he disclose any matters contained
391 therein or any information concerning such birth, which original, copy
392 or information is in the custody of any registrar of vital statistics or of
393 the Department of Public Health, nor shall he be entitled to any copy
394 of any such certificate, record or information, except upon written
395 order of a court of record or upon written request of a state
396 department or the federal government when approved by the
397 Department of Public Health.]

398 (a) The department and registrars of vital records shall restrict
399 access to and issuance of a certified copy of birth and fetal death
400 records and certificates less than one hundred years old, to the
401 following eligible parties: (1) The person whose birth is recorded, if
402 over eighteen years of age; (2) such person's children, grandchildren,
403 spouse, parent, guardian or grandparent; (3) the chief executive officer
404 of the municipality where the birth or fetal death occurred, or the chief
405 executive officer's authorized agent; (4) the local director of health for
406 the town or city where the birth or fetal death occurred or where the
407 mother was a resident at the time of the birth or fetal death, or the
408 director's authorized agent; (5) attorneys-at-law and title examiners
409 representing such person or such person's parent, guardian, child or
410 surviving spouse; (6) members of genealogical societies incorporated
411 or authorized by the Secretary of the State to do business or conduct
412 affairs in this state; (7) agents of a state or federal agency or
413 department; and (8) researchers approved by the department pursuant
414 to section 19a-25. Access to confidential files on paternity, adoption,
415 gender change or gestational agreements, or information contained
416 within such files, shall not be released to any party, including the
417 eligible parties listed in this subsection, except upon an order of a court

418 of competent jurisdiction.

419 (b) No person other than the eligible parties listed in subsection (a)
420 of this section shall be entitled to examine or receive a copy of any
421 birth or fetal death certificate, record or information, or disclose any
422 matter contained therein, except upon written order of a court of
423 competent jurisdiction. Nothing in this section shall be construed to
424 permit disclosure of information contained in the "information for
425 medical and health use only" or the "information for statistical
426 purposes only" section of a birth certificate, other than the Social
427 Security numbers, race and ethnicity information of the parent or
428 parents recorded in the "administrative purposes" section of an
429 electronically filed birth or fetal death certificate or displayed on a
430 manually filed birth or fetal death certificate, unless specifically
431 authorized by the department for statistical or research purposes. Such
432 confidential information, other than the excluded information set forth
433 in this subsection, shall not be subject to subpoena or court order and
434 shall not be admissible before any court or other tribunal.

435 (c) The registrar of the town in which the birth or fetal death
436 occurred or of the town in which the mother resided at the time of the
437 birth or fetal death, or the department, may issue a certified copy of the
438 certificate of birth or fetal death of any person born in this state which
439 is kept in paper form in the custody of the registrar. Such certificate
440 shall be issued upon the written request of an eligible party listed in
441 subsection (a) of this section. Any registrar of vital statistics in this
442 state with access, as authorized by the department, to the electronic
443 vital records system of the department may issue a certified copy of
444 the electronically filed certificate of birth or fetal death of any person
445 born in this state upon the written request of an eligible party listed in
446 subsection (a) of this section.

447 (d) The department and each registrar of vital statistics shall issue
448 only certified copies of birth certificates or fetal death certificates for

449 births or fetal deaths occurring less than one hundred years prior to
450 the date of the request. The department or the registrar of vital
451 statistics of the town in which the vital event occurred or of the town
452 of residence of the person that died or of the bride or groom or of the
453 mother at the time of the birth of a child, may issue to any person,
454 upon request, an uncertified copy of any death certificate or a marriage
455 certificate or of any birth or fetal death certificate for births or fetal
456 deaths that occurred more than one hundred years prior to the date of
457 the request. No registrar of vital statistics shall charge more than the
458 rate that may be established under the Freedom of Information Act, as
459 defined in section 1-200, as from time to time amended, for any
460 uncertified copy of a certificate pursuant to this section.

461 Sec. 13. Section 7-51a of the general statutes is repealed and the
462 following is substituted in lieu thereof:

463 (a) Any person eighteen years of age or older may purchase certified
464 or uncertified copies of marriage and death records, and copies of
465 records of births or fetal deaths which are at least one hundred years
466 old, in the custody of any registrar of vital statistics. During all normal
467 business hours, members of genealogical societies incorporated or
468 authorized by the Secretary of the State to do business or conduct
469 affairs in this state shall (1) have full access to all vital records in the
470 custody of any registrar of vital statistics, including certificates,
471 ledgers, record books, card files, indexes and database printouts,
472 except confidential files on adoptions, gender change, gestational
473 agreements and paternity, (2) be permitted to make notes from such
474 records, [and] (3) be permitted to purchase certified or uncertified
475 copies of such records, in accordance with the provisions of subsection
476 (d) of section 7-51, as amended by this act, and (4) be permitted to
477 incorporate statistics derived from such records in the publications of
478 such genealogical societies.

479 (b) For marriage licenses, the Social Security numbers of the bride

480 and the groom shall be recorded in the "administrative purposes"
481 section of the marriage license and the application for such license. All
482 parties specified on the license, including the bride, groom, officiator
483 of the marriage and town clerk or other persons, as authorized by the
484 commissioner, shall have access to the Social Security numbers
485 specified on the marriage license and the application for such license.
486 Any other individual requesting a certified or uncertified copy of any
487 marriage license shall be provided such copy with such Social Security
488 numbers removed or redacted, or with the "administrative purposes"
489 section omitted.

490 (c) For deaths occurring after December 31, 2001, the Social Security
491 number, occupation, business or industry, race, Hispanic origin if
492 applicable, and educational level of the deceased person, if known,
493 shall be recorded in the "administrative purposes" section of the death
494 certificate. All parties specified on the certificate, including the
495 informant, licensed funeral director, licensed embalmer, conservator,
496 surviving spouse, physician and town clerk or other persons, as
497 authorized by the commissioner, shall have access to the Social
498 Security numbers specified on both the original death certificate and a
499 certified copy. Any other individual requesting a certified or
500 uncertified copy of any death certificate, for a death occurring after
501 July 1, 1997, shall be provided such copy with the Social Security
502 numbers removed or redacted, or with the "administrative purposes"
503 section omitted.

504 (d) The registrar of vital statistics of any town or city in this state
505 that has access to an electronic vital records system, as authorized by
506 the department, may use such system to issue certified copies of birth,
507 death, fetal death or marriage certificates that are electronically filed in
508 such system and to issue uncertified copies of death or marriage
509 certificates in such system.

510 Sec. 14. Section 7-52 of the general statutes is repealed and the

511 following is substituted in lieu thereof:

512 (a) [(1)] The registrar of vital statistics of the town in which the birth
513 occurred, [(2)] the registrar of vital statistics of the town in which the
514 mother resided at the time of the birth or [(3) the Department of Public
515 Health] the department shall issue, upon the request of the person to
516 whom the record of birth relates, if over sixteen years of age, or of a
517 parent, guardian, spouse, child, if over eighteen years of age,
518 grandparent or legal representative of such person, a certification of
519 birth registration, which shall contain [only] the name, sex, date of
520 birth, place of birth and date of filing and registration of the certificate
521 of birth of the person to whom it relates, and any other identifying
522 information prescribed by the commissioner.

523 (b) The registrar of vital statistics of any town or city in this state
524 that has access to an electronic vital records system, as authorized by
525 the department, may use such system to issue, in accordance with the
526 provisions of subsection (a) of this section, a certification of birth
527 registration for such births that are electronically filed in such system.

528 Sec. 15. Section 7-53 of the general statutes is repealed and the
529 following is substituted in lieu thereof:

530 Upon receipt of the record of adoption referred to in subsection (e)
531 of section 45a-745 or of other evidence satisfactory to the [Department
532 of Public Health] department that a person born in this state has been
533 adopted, [said] the department shall prepare a new birth certificate of
534 such adopted person, except that no new certificate of birth shall be
535 prepared if the court decreeing the adoption, the adoptive parents or
536 the adopted person, if over fourteen years of age, so requests. Such
537 new birth certificate shall include all the information required to be set
538 forth in a certificate of birth of this state as of the date of birth, except
539 that the adopting parents shall be named as the parents instead of the
540 genetic parents and, when a certified copy of the birth of such person
541 is requested by an authorized person, a copy of the new certificate of

542 birth as prepared by the department shall be provided. [, except that
543 the registrar of vital statistics of any town in which the birth of such
544 person was recorded or the Department of Public Health may issue a
545 certified copy of the original certificate of birth on file, marked with a
546 notation by the issuer that such original certificate of birth has been
547 superseded by a new certificate of birth as on file, or may permit the
548 examination of such record upon a written order, in accordance with
549 the provisions of section 45a-751, signed by the judge of the probate
550 court for the district in which the adopted person was adopted or born
551 or upon] Any person seeking to examine or obtain a copy of the
552 original record or certificate of birth shall first obtain a written order
553 signed by the judge of the probate court for the district in which the
554 adopted person was adopted or born in accordance with section 45a-
555 751 or a written order of the Probate Court in accordance with the
556 provisions of section 45a-752, stating that the court is of the opinion
557 that the examination of the birth record of the adopted person by the
558 adopting parents or the adopted person, if over eighteen years of age,
559 or by the person wishing to examine the same or that the issuance of a
560 copy of such birth certificate to the adopting parents, adopted person,
561 if over eighteen years of age or to the person applying therefor will not
562 be detrimental to the public interest or to the welfare of the adopted
563 person or to the welfare of the genetic or adoptive parent or parents.
564 Upon receipt of such court order, the registrar of vital statistics of any
565 town in which the birth of such person was recorded, or the
566 department, may issue the certified copy of the original certificate of
567 birth on file, marked with a notation by the issuer that such original
568 certificate of birth has been superseded by a replacement certificate of
569 birth as on file, or, may permit the examination of such record.
570 Immediately after a new certificate of birth has been prepared, an exact
571 copy of such certificate, together with a written notice of the evidence
572 of adoption, shall be transmitted by the department to the registrar of
573 vital statistics of each town in this state in which the birth of the
574 adopted person is recorded. The new birth certificate, the original

575 certificate of birth on file and the evidence of adoption shall be filed
576 and indexed, under such regulations as the [Department of Public
577 Health makes] commissioner adopts, in accordance with chapter 54, to
578 carry out the provisions of this section and to prevent access to the
579 records of birth and adoption and the information therein contained
580 without due cause, except as [herein] provided in this section. Any
581 person, except such parents or adopted person, who discloses any
582 information contained in such records, except as [herein] provided in
583 this section, shall be fined not more than five hundred dollars or
584 imprisoned not more than six months, or both. Whenever a certified
585 copy of an adoption decree from a court of a foreign country, having
586 jurisdiction of the adopted person, is filed with the [Department of
587 Public Health] department under the provisions of this section, such
588 decree, when written in a language other than English, shall be
589 accompanied by an English translation, which shall be subscribed and
590 sworn to as a true translation by an American consulate officer
591 stationed in such foreign country.

592 Sec. 16. Section 7-54 of the general statutes is repealed and the
593 following is substituted in lieu thereof:

594 The [Department of Public Health] department shall prepare a
595 certification of birth registration for any person born outside of the
596 state or country and adopted by residents of this state, provided an
597 authenticated and exemplified copy of the order of adoption of the
598 court of the district in which the adoption proceedings were had or
599 such other evidence as is considered satisfactory by the probate court
600 of the district in which such person resides shall be filed with such
601 probate court, and such probate court notifies the department that
602 such copy or satisfactory evidence has been so filed. Such certification
603 of birth registration shall contain only the adopted name, sex, date of
604 birth, place of birth and date of preparation of such certification of
605 birth registration by the [Department of Public Health] department,
606 but no certification of birth registration shall be prepared by the

607 [Department of Public Health] department unless upon specific
608 written request of the person to whom the certification of birth
609 registration relates, if over [eighteen] sixteen years of age, or of the
610 adopting parents or the court of probate of the district in which the
611 adoption proceedings were had. When the [Department of Public
612 Health] department has prepared such certificate of birth registration,
613 copies thereof shall be issued by the department in accordance with
614 the provisions of section 7-52, as amended by this act.

615 Sec. 17. Section 7-57 of the general statutes is repealed and the
616 following is substituted in lieu thereof:

617 Any adult or the guardian of the person of any minor, for whose
618 birth no certificate is on file, may, with two other persons having
619 knowledge of the facts, make, under oath, an affidavit as to the matters
620 required to be set forth in a birth certificate under the provisions of
621 section 7-48, as amended by this act, and file the same in the office of
622 the registrar of vital statistics of the town in which such birth occurred.
623 Such registrar shall thereupon prepare a birth certificate based upon
624 the information contained in such affidavit and file the same with such
625 affidavit in the same manner as any other birth certificate, including
626 filing a copy of such certificate with the department. If unable to
627 furnish an affidavit satisfactory to the registrar of such town, such
628 adult or guardian may apply to the court of probate for the district
629 where such birth occurred for an order requiring such registrar to
630 prepare a certificate of birth of such adult or such minor containing the
631 matters so required to be set forth. Such court shall, with or without
632 notice and hearing, ascertain the facts as to the matters so required and
633 issue an order directing such registrar to issue such a certificate based
634 upon the facts set forth in such order. After issuing any such certificate,
635 such registrar shall make a record of such birth, including in such
636 record reference to such certificate and the affidavit or order of the
637 court. Birth certificates registered one year or more after the date of
638 birth shall be marked "delayed" and indicate the date of the delayed

639 registration. The provisions of sections 7-42, as amended by this act,
640 and 7-73, as amended by this act, shall apply to the acts of the registrar
641 under this section.

642 Sec. 18. Section 7-58 of the general statutes is repealed and the
643 following is substituted in lieu thereof:

644 Any American citizen who [, while serving with the armed forces or
645 in the employ of the United States government,] becomes the parent of
646 a child or children born outside the United States, and who was a
647 resident of this state [at the time of entering the armed forces or
648 government service] at the time of leaving the United States, may file,
649 with the town clerk of the town in which the parents reside or resided,
650 a certified copy of the record of birth of such child or children issued to
651 the parents by an official authorized to issue such records of birth at
652 the place of birth. When such certified copy has been filed, copies of
653 such record of birth may be issued by such town clerk in the manner
654 prescribed by law.

655 Sec. 19. Section 7-59 of the general statutes is repealed and the
656 following is substituted in lieu thereof:

657 The executive authority of any agency or institution, upon accepting
658 the temporary custody of any foundling child, shall, within ten days
659 from such acceptance, report to the registrar of vital statistics of the
660 town or city where such child was found, [on forms supplied by the
661 Department of Public Health] in a format prescribed by the
662 department, as follows: The date and place of finding, the sex, the
663 [color] race, the approximate age, the name and address of such
664 agency or institution and the name given to the foundling child. If a
665 child for whom such a report has been registered is later identified and
666 a certificate of birth is found or obtained, it shall be substituted and the
667 previous report shall be sealed and filed in a confidential file, and such
668 seal may be broken and the record inspected only upon order of a
669 court of competent jurisdiction. The certificate prescribed by this

670 section shall include such additional information as the [Department of
671 Public Health] department requires.

672 Sec. 20. Section 7-60 of the general statutes is repealed and the
673 following is substituted in lieu thereof:

674 (a) Each case of fetal death shall be registered and a fetal death
675 certificate shall be filed with the registrar of vital statistics in the
676 manner required by [section 7-48 for filing a birth certificate] sections
677 7-48, 7-50, 7-51, 7-52, as amended by this act, and section 27 of this act,
678 with respect to the filing, content and issuance of birth certificates. A
679 fetus born after a period of gestation of not less than twenty weeks in
680 which there is no attempt at respiration, no action of heart and no
681 movement of voluntary muscle, shall be recorded as a fetal death. A
682 fetal death certificate shall be signed by a physician or, when no
683 physician was in attendance, by the Chief Medical Examiner, Deputy
684 Chief Medical Examiner, an associate medical examiner, or an
685 authorized assistant medical examiner.

686 (b) Such certificate shall include, on a confidential portion of the
687 certificate, any additional information required by the [Department of
688 Public Health] department, provided the information obtained under
689 this section shall be used only for medical and health purposes. [and
690 shall not be incorporated into the permanent official records of the
691 department.]

692 Sec. 21. Section 7-62a of the general statutes is repealed and the
693 following is substituted in lieu thereof:

694 No person other than a registrar of vital statistics or the
695 [Commissioner of Public Health] commissioner shall issue or cause to
696 be issued any certificate or document which is, or purports to be, an
697 original or certified copy of a certificate of birth, death, fetal death or
698 marriage. No person other than such registrar or [said] the
699 commissioner shall certify or purport to certify as a true copy any

700 certificate of birth, death, fetal death or marriage. No person other than
701 a registrar of vital statistics or the commissioner shall issue or cause to
702 be issued from the records of such registrar or the commissioner an
703 uncertified copy of a certificate of birth, death, fetal death or marriage,
704 in accordance with the provisions of subsection (d) of section 7-51, as
705 amended by this act. Any person who violates this section shall be
706 fined not more than one hundred fifty dollars or imprisoned not more
707 than one year, or both.

708 Sec. 22. Subsection (b) of section 7-62b of the general statutes is
709 repealed and the following is substituted in lieu thereof:

710 (b) The [licensed] funeral director or [licensed] embalmer licensed
711 by the department, or the funeral director or embalmer licensed in
712 another state and complying with the terms of a reciprocal agreement
713 on file with the department, in charge of the burial of the deceased
714 person shall complete the death certificate on a form provided by the
715 [Department of Public Health] department and shall file it in
716 accordance with the provisions of this section, except when inquiry is
717 required by the Chief Medical Examiner's Office, in which case the
718 death certificate shall be filed in accordance with section 19a-409. The
719 Social Security number of the deceased person shall be recorded on
720 such certificate. Such licensed funeral director or licensed embalmer
721 shall obtain the personal data from the next of kin or the best qualified
722 person or source available and shall obtain a medical certification from
723 the person responsible therefor, in accordance with the provisions of
724 this section. Only a licensed embalmer may assume charge of the
725 burial of a deceased person who died from a communicable disease, as
726 designated in the Public Health Code, and such licensed embalmer
727 shall file the death certificate and a certificate signed and sworn to by
728 [himself] such licensed embalmer or another licensed embalmer stating
729 that the body has been disinfected in accordance with the Public
730 Health Code.

731 Sec. 23. Section 7-69 of the general statutes is repealed and the
732 following is substituted in lieu thereof:

733 Except as provided in section 7-70, as amended by this act, no
734 person except a licensed embalmer or funeral director licensed by the
735 [Department of Public Health] department, or licensed in a state
736 having a reciprocal agreement on file with the department and
737 complying with the terms of such agreement, shall remove the body of
738 a deceased person from one town to another or into the limits of any
739 town in this state unless a permit for such removal has been obtained,
740 as provided by section 7-68, and no person except a licensed embalmer
741 or funeral director licensed by [said] the department, or licensed in a
742 state having a reciprocal agreement on file with the department, shall
743 remove the body of any deceased person from this state to another
744 state unless a death certificate signed by a person licensed by [said] the
745 department, or licensed in a state having a reciprocal agreement on file
746 with the department and complying with the terms of such agreement,
747 has been procured. [, and no] No burial or removal permit shall be
748 issued unless the death certificate has been signed by a licensed
749 embalmer or funeral director licensed by [said] the department, or
750 licensed in a state having a reciprocal agreement on file with the
751 department and complying with the terms of such agreement. Any
752 embalmer or funeral director licensed by [said] the department, or
753 licensed in a state having a reciprocal agreement on file with the
754 department, may remove the body of any deceased person from or
755 into the limits of any town in this state, provided there shall be
756 attached to the coffin or case containing such body a written or printed
757 permit, signed by the registrar of vital statistics in the town in which
758 such person died, certifying the cause of death or disease of which
759 such person died and the town in which such person is to be buried.
760 The permit shall also certify that, when death was due to any
761 communicable disease specified by the Public Health Code, the body
762 has been prepared in accordance with the regulations of the Public
763 Health Code. Such permit shall be sufficient to permit the burial of

764 such deceased person in any town in this state other than the town in
765 which such person died, without a burial permit from the registrar of
766 the town where such person is to be buried. If the body of a deceased
767 person is brought into the state for burial and is accompanied by a
768 removal permit issued by the legally constituted authorities of the state
769 from which it was brought, such permit shall be received as sufficient
770 authority for burial; but, if it is not accompanied by such permit, then
771 the person or persons in charge of it shall apply for a burial permit to
772 the registrar of vital statistics of the town in which it is to be buried,
773 and such registrar shall issue such permit when furnished with such
774 information as to the identity of the deceased and the cause of [his]
775 death as is required by section 7-62b, as amended by this act,
776 concerning a person dying in this state. Any person who violates any
777 provision of this section, or who knowingly signs a false permit or
778 knowingly allows a false permit to be used in lieu of a permit required
779 by this section, shall be fined not more than five hundred dollars or
780 imprisoned not more than six months, or both.

781 Sec. 24. Section 7-70 of the general statutes is repealed and the
782 following is substituted in lieu thereof:

783 Any licensed embalmer, registered student embalmer or licensed
784 funeral director licensed by the department, or licensed in a state
785 having a reciprocal agreement on file with the department, may
786 transfer the body of any deceased person to another town or state for
787 preparation for burial or cremation, if death was not sudden or the
788 result of violence or of a communicable disease other than tuberculosis
789 or pneumonia, [provided such body shall be returned to the town in
790 which death occurred within twenty-four hours or] provided a permit
791 for permanent removal, as required under the provisions of section 7-
792 69, as amended by this act, has been secured within [said time] twenty-
793 four hours. Such temporary transfer shall be made only by a licensed
794 embalmer, registered student embalmer or licensed funeral director
795 [only and he] licensed by the department, or licensed in a state having

796 a reciprocal agreement on file with the department. Such licensed
797 embalmer, registered student embalmer or licensed funeral director
798 shall leave, in writing, with the institution from which or the person
799 from whom any such body is received, a temporary removal permit,
800 on a form supplied by the [Department of Public Health] department,
801 [his] such embalmer's or director's name, [and] address [, his] and
802 license number and the date and hour such body was delivered to
803 [him] such embalmer or director. A duplicate of such temporary
804 removal permit shall be left with or mailed to the local registrar where
805 the death occurred, within twelve hours after such temporary transfer.
806 Any body for which a burial or removal permit has been secured in
807 accordance with the provisions of section 7-69, as amended by this act,
808 except the body of any person whose death occurred while suffering
809 from any communicable disease other than tuberculosis or pneumonia,
810 may be taken through or into another town for funeral services
811 without additional permits.

812 Sec. 25. Section 7-73 of the general statutes is repealed and the
813 following is substituted in lieu thereof:

814 (a) To [the] any person performing the duties required by the
815 provisions of the general statutes relating to registration of births,
816 marriages, [and] deaths and fetal deaths, the following fees shall be
817 allowed: (1) To the registrar for completing each record of birth by
818 procuring and inserting the full name of the child, or for the recording,
819 indexing, copying and endorsing of each birth, marriage, [or] death or
820 fetal death certificate, two dollars; (2) for the license to marry, ten
821 dollars; and (3) for issuing each burial or removal permit, three dollars.

822 (b) A twenty-dollar surcharge shall be paid to the registrar for each
823 license to marry in addition to the fee for such license established
824 pursuant to subsection (a) of this section. The registrar shall retain one
825 dollar from each such surcharge for administrative costs and shall
826 forward the remainder, on or before the tenth day of the month

827 following each calendar quarter, to the Department of Public Health.
828 The receipts shall be deposited into an account of the State Treasurer
829 and credited to the General Fund for further credit to a separate
830 nonlapsing account established by the Comptroller for use by the
831 Department of Social Services for shelter services for victims of
832 household abuse in accordance with section 17b-850 and by the
833 Department of Public Health for rape crisis services funded under
834 section 19a-2a. Such funds shall be allocated for these purposes by the
835 Office of Policy and Management in consultation with the
836 Commissioners of [the Department of] Social Services and [the
837 Department of] Public Health based on an evaluation of need, service
838 delivery costs and availability of other funds. No such moneys shall
839 supplant any state or federal funds otherwise available for such
840 services.

841 Sec. 26. Section 7-74 of the general statutes is repealed and the
842 following is substituted in lieu thereof:

843 The fee for a certification of birth registration shall be five dollars
844 and the fee for a certified copy of a certificate of birth [,] shall be five
845 dollars, except that the fee for such certifications and copies when
846 issued by the [Department of Public Health] department shall be
847 fifteen dollars. The fee for a certified copy of a certificate of marriage or
848 death shall be five dollars. Such fees shall not be required of any
849 federal agency or the [Department of Public Health] department.

850 Sec. 27. Section 7-76 of the general statutes is repealed and the
851 following is substituted in lieu thereof:

852 The fees due registrars of vital statistics for the making of records,
853 copies and endorsements relating to births, [and] deaths, fetal deaths
854 and marriages, when the residence of the parents of the child or of the
855 deceased or of either party to a marriage is in some other town in this
856 state than that in which the birth, death, fetal death or marriage
857 occurred, shall be paid by such other town except as they relate to vital

858 statistics of inmates of any state institution. All bills for such fees shall
859 be submitted by such registrars to such other towns on or before
860 February first of each year, provided if a bill amounts to less than
861 twenty-six dollars, no bill shall be sent and the amount shall not be
862 due. If the registrar of vital statistics of any town or city receives a
863 salary for the performance of [his] the registrar's duties, the amount of
864 fees due under the provisions of this section shall be paid to such town
865 or city.

866 Sec. 28. (NEW) (a) On receipt of a certified copy of an order of a
867 court of competent jurisdiction approving a gestational agreement and
868 a copy of such agreement, in the case where such agreement was
869 approved by the court prior to the birth of the child born of the
870 agreement, the birth certificate for the child born of such agreement
871 shall be prepared by: (1) A hospital, if such child is born in the hospital
872 or en route to the hospital; or (2) the registrar of vital statistics in the
873 town in which the birth occurred, if such child is born at home. The
874 birth certificate shall include all the information that is required to be
875 set forth in a certificate of birth of this state as of the date of birth,
876 except that the intended parent or parents under the court-approved
877 gestational agreement shall be named as the parent or parents. The
878 hospital or the registrar that prepared such birth certificate shall keep a
879 copy of such court-approved gestational agreement in a confidential
880 file and shall forward a copy of such agreement to the department.

881 (b) On receipt of a certified copy of an order of a court of competent
882 jurisdiction approving a gestational agreement and a copy of such
883 agreement, in the case where such agreement was pending before the
884 court at the time of the birth of the child born of the agreement and
885 was approved by the court after such birth, the department shall
886 prepare a new birth certificate for the child born of such agreement.
887 The new birth certificate shall include all the information that is
888 required to be set forth in a certificate of birth of this state as of the date
889 of birth, except that the intended parent or parents under the court-

890 approved gestational agreement shall be named as the parent or
891 parents.

892 (c) Immediately after a new certificate of birth has been prepared
893 pursuant to subsection (b) of this section, an exact copy of the
894 certificate, together with a copy of the order of the court approving a
895 gestational agreement, shall be electronically or manually transmitted
896 by the department to the registrar of vital statistics of each town in this
897 state in which the birth of the person is recorded. The new birth
898 certificate, the original certificate of birth on file and the copy of the
899 order of the court shall be filed and indexed pursuant to such
900 regulations as the commissioner shall adopt, in accordance with
901 chapter 54 of the general statutes, to carry out the provisions of this
902 section and to prevent access to such records of birth and court order,
903 except as provided in this section. Any person, except the intended
904 parent or child born of the agreement, who discloses any information
905 contained in such records, except as provided in this section, shall be
906 fined not more than five hundred dollars or imprisoned not more than
907 six months, or both.

908 (d) When a certified copy of a new birth certificate prepared
909 pursuant to subsection (b) of this section is requested by a person
910 authorized to receive such copy pursuant to section 7-51 of the general
911 statutes, as amended by this act, a copy of the new certificate of birth,
912 as prepared by the department in accordance with the applicable
913 provisions of section 19a-42 of the general statutes, as amended by this
914 act, shall be provided. Access to or issuance of a certified copy of the
915 original birth certificate to any person, including the intended parent
916 or parents of the child or the child born of the gestational agreement, if
917 over eighteen years of age, shall be permitted only upon a written
918 order signed by a judge of the probate court for the district in which
919 the gestational agreement was approved, or another court of
920 competent jurisdiction. The original certificate so issued shall be
921 marked with a notation by the issuer that the original certificate of

922 birth has been superseded by a replacement certificate of birth as on
923 file.

924 (e) No person, including the parties to a gestational agreement and
925 the child born of such agreement, may have access to or receive a copy
926 of any gestational agreement on file with the department or any
927 hospital or registrar of vital statistics, except upon the order of a court
928 of competent jurisdiction.

929 (f) In the event of a fetal death in any case involving a court-
930 approved gestational agreement, a fetal death certificate shall be
931 prepared by the hospital, the registrar of vital statistics or the
932 department as determined for birth certificates pursuant to subsections
933 (a) and (b) of this section. The fetal death certificate shall include all the
934 information that is required to be set forth in a fetal death certificate of
935 this state as of the date of death, except that the intended parent or
936 parents under the court-approved gestational agreement shall be
937 named as the parent or parents.

938 Sec. 29. Subsection (a) of section 19a-1c of the general statutes is
939 repealed and the following is substituted in lieu thereof:

940 (a) Whenever the words "Commissioner of Public Health and
941 Addiction Services" are used or referred to in the following sections of
942 the general statutes, the words "Commissioner of Public Health" shall
943 be substituted in lieu thereof and whenever the words "Department of
944 Public Health and Addiction Services" are used or referred to in the
945 following sections of the general statutes, the words "Department of
946 Public Health" shall be substituted in lieu thereof: 1-21b, 2-20a, 3-129,
947 4-5, 4-38c, 4-60i, 4-67e, 4a-12, 4a-16, 4a-51, 5-169, 7-22a, [7-41a,] 7-42, 7-
948 44, 7-45, [7-47a,] 7-48, 7-49, 7-51, 7-52, 7-53, 7-54, 7-55, [7-56,] 7-59, 7-60,
949 7-62a, 7-62b, 7-62c, 7-65, 7-70, 7-72, 7-73, 7-74, 7-127e, 7-504, 7-536, 8-
950 159a, 8-206d, 8-210, 10-19, 10-71, 10-76d, 10-203, 10-204a, 10-207, 10-212,
951 10-212a, 10-214, 10-215d, 10-253, 10-282, 10-284, 10-292, 10a-132, 10a-
952 155, 10a-162a, 12-62f, 12-263a, 12-407, 12-634, 13a-175b, 13a-175ee, 13b-

953 38n, 14-227a, 14-227c, 15-121, 15-140r, 15-140u, 16-19z, 16-32e, 16-43, 16-
954 50c, 16-50d, 16-50j, 16-261a, 16-262l, 16-262m, 16-262n, 16-262o, 16-
955 262q, 16a-36, 16a-36a, 16a-103, 17-585, 17a-20, 17a-52, 17a-154, 17a-219c,
956 17a-220, 17a-277, 17a-509, 17a-688, 17b-6, 17b-99, 17b-225, 17b-234, 17b-
957 265, 17b-288, 17b-340, 17b-341, 17b-347, 17b-350, 17b-351, 17b-354, 17b-
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967 59b, 19a-59c, 19a-59d, 19a-60, 19a-61, 19a-69, 19a-70, 19a-71, 19a-72,
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973 19a-122b, 19a-123d, 19a-124, 19a-125, 19a-148, 19a-175, 19a-176, 19a-
974 178, 19a-179, 19a-180, 19a-181a, 19a-182, 19a-183, 19a-184, 19a-186, 19a-
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988 19a-535a, 19a-536, 19a-537, 19a-538, 19a-540, 19a-542, 19a-547, 19a-550,
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991 19a-675, 20-8, 20-8a, 20-9, 20-10, 20-11, 20-11a, 20-11b, 20-12, 20-12a, 20-
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1013 22-165, 22-332b, 22-344, 22-358, 22a-29, 22a-54, 22a-65, 22a-66a, 22a-66l,
1014 22a-66z, 22a-115, 22a-119, 22a-134g, 22a-134bb, 22a-137, 22a-163a, 22a-
1015 163i, 22a-176, 22a-191, 22a-192, 22a-208q, 22a-231, 22a-240, 22a-240a,
1016 22a-295, 22a-300, 22a-308, 22a-337, 22a-352, 22a-354i, 22a-354k, 22a-
1017 354w, 22a-354x, 22a-354aa, 22a-355, 22a-356, 22a-358, 22a-361, 22a-363b,
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1019 22a-471, 22a-474, 22a-601, 25-32, 25-32b, 25-32c, 25-32d, 25-32e, 25-32f,
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1025 192e, 26-236, 27-140aa, 31-23, 31-40u, 31-51u, 31-101, 31-106, 31-111a,
1026 31-111b, 31-121a, 31-222, 31-374, 31-397, 31-398, 31-400, 31-401, 31-402,
1027 31-403, 32-23x, 38a-180, 38a-199, 38a-214, 38a-514, 38a-583, 45a-743,
1028 45a-745, 45a-749, 45a-750, 45a-757, 46a-28, 46a-126, 46b-26, 46b-172a,
1029 47a-52, 52-146f, 52-146k, 52-473a, 52-557b, 53-332, 54-102a, 54-102b, 54-
1030 142k, 54-203.

1031 Sec. 30. Section 19a-40 of the general statutes is repealed and the
1032 following is substituted in lieu thereof:

1033 The Department of Public Health shall have general supervision of
1034 the state system of registration of births, marriages, [and] deaths and
1035 fetal deaths, and shall [prepare] develop the necessary uniform
1036 methods and forms for obtaining and preserving such records in order
1037 to insure the faithful registration of [the same] such records in the
1038 several towns and in [said] the department. [Said] The department
1039 shall recommend such forms, procedures and legislation as are
1040 necessary to secure complete and accurate registration of vital statistics
1041 throughout the state. The Commissioner of Public Health shall be the
1042 superintendent of registration of vital statistics.

1043 Sec. 31. Section 19a-41 of the general statutes is repealed and the
1044 following is substituted in lieu thereof:

1045 The Commissioner of Public Health shall adopt regulations, in
1046 accordance with the provisions of chapter 54, specifying the methods
1047 of reporting, recording, [preserving] issuing, maintaining, indexing,
1048 correcting and amending vital records and statistics collected under
1049 the provisions of sections 19a-42 to 19a-45, inclusive, chapter 93 or

1050 chapter 815e. The commissioner shall [prepare] develop such forms,
1051 formats and uniform procedures as [he] the commissioner deems
1052 necessary to carry out the provisions of sections 19a-42 to 19a-45,
1053 inclusive, chapter 93 and chapter 815e. [The penalty provided for by
1054 section 7-41 shall not apply to registrars of vital statistics not
1055 complying with such regulations, if such registrars have complied in
1056 all other respects with the provisions of the statutes to which said
1057 penalty is applicable.]

1058 Sec. 32. Section 19a-42 of the general statutes is repealed and the
1059 following is substituted in lieu thereof:

1060 (a) To protect the integrity and accuracy of vital records, a certificate
1061 registered under chapter 93 may be amended only in accordance with
1062 sections 19a-41 to 19a-45, inclusive, chapter 93, [and] regulations
1063 adopted by the Commissioner of Public Health pursuant to chapter 54
1064 and uniform procedures prescribed by the commissioner. [When a
1065 certificate is amended under this section the commissioner shall report
1066 the amendment to the registrars of vital statistics affected and their
1067 records shall be amended accordingly.] Only the commissioner may
1068 amend birth certificates to reflect changes concerning parentage or
1069 gender change. Amendments related to parentage or gender change
1070 shall result in the creation of a replacement certificate that supersedes
1071 the original, and shall in no way reveal the original language changed
1072 by the amendment. Any amendment to a vital record made by the
1073 registrar of vital statistics of the town in which the vital event occurred
1074 shall be in accordance with such regulations and uniform procedures.

1075 [(b) A certificate that is amended under this section shall be marked
1076 "Amended" on the original. The date of amendment and a summary
1077 description of the evidence submitted in support of the amendment
1078 shall be endorsed on or made a part of the record. The original birth,
1079 death or marriage certificate shall be sealed and kept in a confidential
1080 file at the Department of Public Health and may be unsealed only

1081 upon the order of the Commissioner of Public Health. A copy of the
1082 original shall be made and such copy shall be amended in such a
1083 manner that the language to be changed is no longer visible. The copy
1084 shall be a public record. The Commissioner of Public Health shall
1085 prescribe by regulation, adopted in accordance with chapter 54, the
1086 conditions under which additions or minor corrections may be made
1087 to vital records within one year after the date of the event without the
1088 vital record being marked "Amended".]

1089 (b) The commissioner and the registrar of vital statistics shall
1090 maintain sufficient documentation, as prescribed by the commissioner,
1091 to support amendments and shall ensure the confidentiality of such
1092 documentation as required by law. The date of amendment and a
1093 summary description of the evidence submitted in support of the
1094 amendment shall be endorsed on or made part of the record and the
1095 original certificate shall be marked "Amended", except for
1096 amendments due to parentage or gender change. When the registrar of
1097 the town in which the vital event occurred amends a certificate, such
1098 registrar shall, within ten days of making such amendment, forward
1099 an amended certificate to the commissioner and to any registrar
1100 having a copy of the certificate. When the commissioner amends a
1101 birth certificate, including changes due to parentage or gender, the
1102 commissioner shall forward an amended certificate to the registrars of
1103 vital statistics affected and their records shall be amended accordingly.

1104 (c) An amended certificate shall supercede the original certificate
1105 that has been changed and shall be marked "Amended", except for
1106 amendments due to parentage or gender change. The original
1107 certificate in the case of parentage or gender change shall be physically
1108 or electronically sealed and kept in a confidential file by the
1109 department and the registrar of any town in which the birth was
1110 recorded, and may be unsealed for viewing or issuance only upon a
1111 written order of a court of competent jurisdiction. The amended
1112 certificate shall become the public record.

1113 [(c)] (d) (1) Upon receipt of (A) [a voluntary] an acknowledgment of
1114 paternity executed in accordance with the provisions of subsection (a)
1115 of section 46b-172 by both parents of a child born out of wedlock, or
1116 (B) a certified copy of an order of a court of competent jurisdiction
1117 establishing the paternity of a child born out of wedlock, the
1118 [Commissioner of Public Health] commissioner shall include on or
1119 amend, as appropriate, such child's birth certificate to show such
1120 paternity if paternity is not already shown on such birth certificate or
1121 to change the [surname] name of the child or both. [Such certificate] If
1122 another father is listed on the birth certificate, the department shall not
1123 remove or replace the father's information unless presented with a
1124 court order that meets the requirements specified in section 7-50, as
1125 amended by this act. Birth certificates amended under this subsection
1126 shall not be marked "Amended".

1127 (2) The commissioner shall thereafter amend such child's birth
1128 certificate to remove or change the father's name [only upon the filing
1129 of a rescission in the paternity registry established under section 19a-
1130 42a, as provided in subsection (a) of section 46b-172, or upon the order
1131 of a court of competent jurisdiction] and to change the name of the
1132 child, as requested at the time of the filing of a rescission, in
1133 accordance with the provisions of section 7-50, as amended by this act.

1134 (3) A fee of twenty-five dollars shall be charged by the [Department
1135 of Public Health] department for each amendment to a birth certificate
1136 requested pursuant to this subsection which request is not received
1137 from a hospital, a state agency or a court of competent jurisdiction.

1138 (e) When the parent or parents of a child requests the amendment of
1139 the child's birth certificate to reflect a new mother's name because the
1140 name on the original certificate is fictitious, such parent shall obtain an
1141 order of a court of competent jurisdiction declaring the putative
1142 mother to be the child's mother. Upon receipt of a certified copy of
1143 such order, the department shall amend the child's birth certificate to

1144 reflect the mother's true name.

1145 [(d)] (f) Upon receipt of a certified copy of an order of a court of
1146 competent jurisdiction changing the name of a person born in this state
1147 and upon request of such person or [his] such person's parents,
1148 guardian, or legal representative, the [Commissioner of Public Health
1149 shall] commissioner or the registrar of vital statistics of the town in
1150 which the vital event occurred shall amend the birth certificate to show
1151 the new name by a method prescribed by the department.

1152 [(e)] (g) When an applicant submits the documentation required by
1153 the regulations to amend a vital record, the [Commissioner of Public
1154 Health] commissioner shall hold a hearing, in accordance with chapter
1155 54, if the commissioner has reasonable cause to doubt the validity or
1156 adequacy of such documentation.

1157 [(f)] (h) When an amendment under this section involves the
1158 changing of existing language on a death certificate due to an error
1159 pertaining to the cause of death, the death certificate shall be amended
1160 in such a manner that the original language is still visible. A copy of
1161 the death certificate shall be made. The original death certificate shall
1162 be sealed and kept in a confidential file at the [Department of Public
1163 Health] department and only the [Commissioner of Public Health]
1164 commissioner may order it unsealed. The copy shall be amended in
1165 such a manner that the language to be changed is no longer visible.
1166 The copy shall be a public document.

1167 Sec. 33. Subsection (a) of section 19a-45 of the general statutes is
1168 repealed and the following is substituted in lieu thereof:

1169 (a) The Department of Public Health may, by agreement, transmit
1170 copies of vital records required by sections 7-42, 7-45, 7-46, [7-47a,] 7-
1171 47b, 7-48, 7-50, 7-57, 7-60, 7-62b, 7-62c, 7-64, 7-65, 7-68 and 19a-41 to
1172 19a-45, inclusive, to offices of vital statistics outside this state when
1173 such records relate to residents of those jurisdictions or persons born in

1174 those jurisdictions. The agreement shall require that the copies be used
1175 for statistical and administrative purposes only and the agreement
1176 shall further provide for the retention and disposition of such copies.
1177 Copies received by the [Department of Public Health] department
1178 from offices of vital statistics in other states shall be handled in the
1179 same manner as prescribed in this section.

1180 Sec. 34. Section 46b-25 of the general statutes is repealed and the
1181 following is substituted in lieu thereof:

1182 No license may be issued by the registrar until both persons have
1183 appeared before [him] the registrar and made application for a license.
1184 The application shall be dated, signed and sworn to by each applicant
1185 and shall state each applicant's name, age, [Social Security number,]
1186 race, [occupation,] birthplace, residence, whether single, widowed or
1187 divorced and whether under the supervision or control of a
1188 conservator or guardian. The Social Security numbers of the bride and
1189 the groom shall be recorded in the "administrative purposes" section of
1190 the application. If the application is signed and sworn to by the
1191 applicants on different dates, the earlier date shall be deemed the date
1192 of application. All the applications, when so made, shall be kept
1193 separately and available for public examination, excluding the
1194 "administrative purposes" section of such applications, until the license
1195 is issued, and shall be filed as a part of the records of the registrar
1196 when the license certificate is returned as provided in section 46b-34.

1197 Sec. 35. Subsection (a) of section 45a-750 of the general statutes is
1198 repealed and the following is substituted in lieu thereof:

1199 (a) A certificate of birth registration or a certified copy of the
1200 certificate of birth shall be issued in accordance with [section 7-52 or 7-
1201 56] subsection (c) of section 7-51, as amended by this act, or section 7-
1202 52, as amended by this act, to any adoptable person by the Department
1203 of Public Health whether or not such person knows the names of his or
1204 her birth parents, provided such department is satisfied as to the

1205 identity of the person for whom the certificate is being requested. Any
1206 child-placing agency, the department or any court having information
1207 which is needed to locate such certificate shall furnish it to the
1208 Department of Public Health.

1209 Sec. 36. Sections 7-41a, 7-47a and 7-56 of the general statutes are
1210 repealed.

PH *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Potential Minimal Revenue Loss

Affected Agencies: Department of Public Health

Municipal Impact: Potential Indeterminate Revenue Loss

Explanation

State Impact:

The state may experience a minimal revenue loss to the extent that the bill allows persons to request uncertified copies of birth, death and marriage certificates that are more than a century old. Under current law, the State Registrar collects a fee of \$15 for certified copies of birth and \$5 for certified copies of death and marriage certificates. Pursuant to the bill, DPH could only charge \$0.25 per page for uncertified copies. FY 00 revenues from these fees totaled \$27,250.

Other provisions in this bill are either technical in nature, codify current practice, or make changes which can be accommodated by the State Registrar of Vital Records within the anticipated budgetary resources of the Department of Public Health.

It should be noted that funding has been included within sHB 6668 (the Appropriations Act, as favorably reported by the Appropriations Committee) to reflect continuing costs of an electronic vital records system (EVRS). The agency devotes approximately \$170,000 each year

to this initiative. This sum supports one staff position and an outside contract for computer maintenance services.

Municipal Impact:

The bill extends the option to local registrars of vital statistics to participate in an electronic vital records system. The decision to do so may be affected by local resources, as the purchase of a computer would be required.

Towns may experience a revenue loss and workload increase in response to a provision of the bill that requires registrars to issue uncertified copies of birth, death or marriage certificates that are more than a century old. The bill would prohibit the charging of more than \$0.50 per page for these copies. Under current law, only a certified copy may be requested. The fee for a certified copy of a birth, death or marriage certificate issued by a local registrar is \$5. Those communities having birthing hospitals would be anticipated to experience the greatest increase in demand for copies and corresponding revenue loss.

Other provisions in the bill are technical in nature, codify current practice, remove obsolete statutory sections or make changes that will result in minor workload changes for local registrars.

OLR Bill Analysis

sHB 6569

AN ACT CONCERNING VITAL RECORDS.**SUMMARY:**

This bill makes a number of substantive and technical changes in the statutes on vital records, affecting both the Department of Public Health (DPH) and local registrars of vital statistics. It: (1) specifies that vital records include fetal death certificates in addition to birth, marriage, and death certificates and makes the necessary conforming changes; (2) allows DPH and local registrars to transmit and register vital records electronically and defines terms to address vital records in both electronic and paper format; (3) makes a number of changes concerning birth certificates addressing access, confidentiality, data usage, copies, paternity acknowledgements, gestational agreements, name changes, and adoption; (4) allows certain people to access Social Security numbers on marriage licenses and death certificates; (5) allows out-of-state funeral directors and embalmers from states with reciprocal agreements with Connecticut to undertake a number of activities; (6) requires DPH to develop uniform procedures concerning vital records and modifies its regulatory authority; (7) clarifies how DPH must administer the state system of registration of births, marriages, deaths, and fetal deaths; (8) standardizes the fees for vital records including setting the same \$2 fee for recording fetal deaths as for other vital records; and (9) eliminates outdated or contradictory provisions.

EFFECTIVE DATE: October 1, 2001

DUTIES OF REGISTRARS OF VITAL STATISTICS***Record Keeping (§4, §5)***

Current law provides a number of procedures that registrars must follow in recording, filing, indexing, and binding in book form the vital statistics accumulated. This bill eliminates these particular

procedures and instead directs each registrar to keep records according to regulations the DPH commissioner adopts. Any certified copy of a vital record must include all information DPH requires.

The bill requires each registrar to keep records on fetal deaths in addition to marriages, births, and deaths and eliminates a requirement to keep such records in "books." A registrar currently must amend or correct certificates when he discovers errors on their face. The bill requires him to correct birth, marriage, death, and fetal death certificates whenever he finds transcribing, typographical, or clerical errors.

Under the bill, when the registrar corrects a certificate, he must forward an authenticated copy of the corrected certificate, within 10 days, to DPH and any other registrar having a copy of the certificate. The registrar must keep sufficient documentation, as prescribed by DPH, to support the correction and must ensure its confidentiality. The date of correction and a summary of the evidence supporting it must be part of the record. The certificate cannot be marked "amended" unless an amendment is made as provided by law. "Amendment" under the bill means to (1) change or enter new information on a birth, marriage, death, or fetal death certificate more than one year after the date of the vital event recorded in it, in order to accurately reflect the facts existing at the time the event was recorded; (2) create a replacement certificate of birth for matters relating to parentage or gender change; or (3) change a certificate to reflect changed facts since the time it was prepared, including a legal name change or modification in cause of death.

Official Seal (§3)

By law, the registrar of vital statistics in each town has an official seal used to authenticate certificates and copies of records. The bill specifies that only the registrar or his authorized agent can possess the official seal or any facsimile.

Filling Out And Signing Certificates (§7)

The bill subjects fetal death certificates to the current requirements for filling out and signing birth, marriage and death certificates. It

provides that if a certificate is in electronic format, it must be authenticated by DPH's electronic vital records system (EVRS).

Indexes (§9)

The law requires registrars to keep alphabetically arranged indexes of the names of each person whose birth, marriage, or death he records. The bill applies this to fetal deaths, and requires that the registrar keep separate indexes for each group of vital events.

Transmitting Records (§6)

The bill requires the registrar to record on each certificate the date it was received, by writing on the certificate or through electronic means. It allows the registrar from the town where a child was born to electronically access birth data for the child to make corrections and amendments as requested by the parents, the reporting hospital, or DPH, excluding amendments concerning parentage and gender change (only DPH can change these). Amendments to vital records made by the registrar in the town of occurrence must be made according to law (see below).

Current law requires the registrar to send to DPH, by the seventh day of the month, an attested copy of each death certificate he receives for the preceding calendar month or a notification that he received none. By the 15th of the month, he must do the same for birth and marriage certificates. The bill instead requires him to send an "authenticated" copy of each birth, marriage, death, or fetal death certificate to DPH by the seventh day of the month or a notification that none was received. "Authenticated," under the bill, means to affirm a record's integrity by affixing the official seal to a paper record or, in the case of an electronic format, the user identification, password, or other means of electronic identification of the record's creator, as approved by DPH.

The bill requires that copies of certificates sent to DPH to be complete, in addition to the current requirements that they be plain and legible. DPH must request a complete or legible copy from the registrar.

COPIES OF CERTIFICATES FILED IN ANOTHER TOWN (§6)

The law requires the registrar in a town where a birth, marriage, or death certificate is filed to make a certified copy of it and send it to the registrar of another town when it appears that the residence of the child's mother, either party to the marriage, or the deceased was in another town. The bill adds a fetal death certificate to this list and requires that the transmitted copy of any certificate be authenticated, and include all information on the certificate.

The bill specifies that a registrar with access to an EVRS use such a system to meet the certificate filing requirements. But if the town of residence does not have access to an EVRS, the registrar of the town where the vital event occurred must manually transmit the authenticated copy to the other town.

Under the bill, a registrar with authorized access to DPH's EVRS can access vital records through the system to view, print, and issue certificates to authorized individuals. But only the registrar of the town where the vital event occurred or DPH can correct or amend the certificates.

FILING REQUIREMENTS FOR BIRTH CERTIFICATES (§10)

The bill allows a registrar to file a birth certificate by manual or electronic means. It eliminates a requirement that, after three years, DPH destroy the confidential medical and statistical data on birth certificates. (The bill sets no time limit.) The bill allows local health directors access to medical and confidential birth data recorded in the town and records related to mothers who were residents of the town at the time of birth. It also allows hospitals to use birth certificate and confidential data they generate internally for statistical, health, and quality-assurance purposes.

By law, when a birth occurs in an institution (public or private facility providing inpatient medical, surgical, or diagnostic care or nursing, custodial, or domiciliary care) or en route to it, the person in charge of the institution must complete the certificate, get the required signatures, and file it with the registrar of the town where the birth occurred. This must be done within 10 days of the birth. The bill instead requires the institution head to obtain all available data required by the certificate; prepare it; and certify either by signature or

electronic process approved by DPH that the child was born alive at the place, time, and date stated. It requires, in addition to the physician in attendance at the birth, that the physician, institution, or other person providing prenatal care provide the medical information required by the certificate.

RESTRICTIONS ON BIRTH CERTIFICATE CONTENT (§11)

The law allows recording information on whether a child was born in or out of wedlock and the mother's marital status on a confidential portion of the birth certificate. The name of the father is entered on the birth certificate when a voluntary acknowledgement or adjudication of paternity is filed in DPH's paternity registry. The bill instead allows such entry on the birth certificate after an acknowledgement of paternity is completed at a hospital, or at a town in the case of a home birth, and transmitted to DPH.

The bill requires DPH to file in its paternity registry all post-birth acknowledgements or adjudications of paternity it receives. DPH must enter the father's name on the birth record or certificate, if no paternity is already recorded on it. If another father's information is already recorded on the certificate, it cannot be removed unless DPH receives a court order directing it to do so and replace it with the name of the newly adjudicated father.

RESTRICTIONS ON EXAMINATION OF BIRTH CERTIFICATES AND RECORDS (§12)

Current law allows access to an original or copy of any birth certificate or birth record by: (1) the person, if over 18, whose birth is recorded; (2) his parent, guardian, or grandparent if a minor; (3) his children or spouse; (4) the chief executive officer of the municipality or his authorized agent; (5) the local health director or his agent; (6) lawyers; (7) title examiners; and (8) genealogical associations.

The bill requires DPH and registrars to restrict access of birth and fetal death records and certificates less than 100 years old to those listed above. It also adds to those with access: (1) the grandchildren of the individual, (2) agents of a state or federal agency, and (3) researchers approved by DPH. The bill prohibits release of confidential files on

paternity, adoption, gender change, or gestational agreements, or information in those files, to any party, including those listed above, without a court order. It does not condition parental, grandparent, or guardian access on the person being a minor. The bill also specifies that for genealogical associations to have access they must be incorporated or authorized by the secretary of the state to operate in the state. Attorneys and title examiners can obtain the certificate only if they represent the individual or his child, parent, spouse, or guardian. For a local health director to have access, he must be from the town where the birth or fetal death occurred or where the mother resided at the time of the event.

The bill prohibits anyone, except those listed above, from examining or receiving a copy of any birth or fetal death certificate, record or information, or disclosing anything found in one, except with a court order. The bill does not allow disclosing of information in the "information for medical and health use only" or the "information for statistical purposes only" section of a certificate, other than Social Security numbers and parental race and ethnicity information recorded in the "administrative purposes" section of a birth or fetal death certificate unless specifically authorized by DPH for statistical or research purposes. The confidential information, other than the excluded information noted above, is not subject to subpoena or court order and is not admissible in court or any other tribunal under the bill.

The bill allows the registrar of the town where the birth or fetal death occurred or where the mother resided at the time of the event, or DPH, to issue a certified copy of a birth or fetal death certificate which is in paper form in the custody of the registrar. A registrar with authorized access to DPH's EVRS can issue a certified copy of the electronically filed certificate. The paper or electronic certificate must be issued upon written request of an eligible party (see above). DPH and registrars may only issue certified copies of birth or fetal death certificates for those occurring less than 100 years before the request.

DPH or the registrar of the town where the vital event occurred or of the town of residence of the deceased, the bride or groom, or the mother of the child, may issue to any person an uncertified copy of a birth or fetal death certificate for births or deaths that occurred more

than 100 years ago or any marriage or death certificate regardless of when the event occurred. The registrar can charge no more than the amount allowed under the Freedom of Information Act for this uncertified copy.

OBTAINING COPIES OF VITAL RECORDS

Purchases of Records (§13)

Current law allows anyone 18 or older to purchase certified copies of marriage and death records and copies of birth records that are at least 100 years old that are in the custody of any registrar. This bill also allows purchase of uncertified marriage and death records and copies of fetal death records, all subject to the 100 years or older rule. The bill specifically excludes genealogical society members from access to confidential files on gender change, gestational agreements, and paternity.

Marriage Licenses (§13)

The bill requires that the Social Security numbers of the bride and groom be recorded in the “administrative purposes” section of all marriage licenses and applications for them. All parties specified on a license (bride, groom, officiator of the marriage, town clerk, and others authorized by DPH) have access to the Social Security numbers. Any other person requesting a certified or uncertified copy of a marriage license must be given a copy with the social security numbers removed or redacted or with the administrative purposes section omitted.

The bill also eliminates “occupation” from the license application.

Deaths (§13)

The bill requires recording in the “administrative purposes” section of a death certificate the Social Security number, occupation, business, race, Hispanic origin if applicable, and educational level of the deceased (if known) for deaths occurring after December 31, 2001. All parties listed on the certificate have access to the Social Security numbers on both the original and certified copy of the death certificate. (These include the informant, licensed funeral director, embalmer,

conservator, spouse, physician, town clerk, and others authorized by DPH.) Others requesting a certified or uncertified copy for a death occurring after July 1, 1997 must be given it with the Social Security numbers removed or redacted, or with the administrative purposes section omitted.

CERTIFICATION OF BIRTH REGISTRATION (§14)

The bill adds the grandparent, guardian, and the child of the birth subject (if over 18) to those who can obtain a certification of birth registration (“wallet size” birth certificates). It allows DPH to prescribe additional identifying information for inclusion on the registration.

The registrar of any town with access to a DPH-authorized EVRS can use that system to issue a certification of birth registration.

BIRTH CERTIFICATES OF ADOPTED PERSONS (§15)

The law requires DPH to prepare a new birth certificate after someone is adopted. The bill prohibits issuing a new certificate if the court decreeing the adoption; the adoptive parents; or the adopted person, if over 14, so requests. Anyone seeking to examine or get a copy of the original birth record or certificate must first get a written order from the probate court judge from the district in which the adopted person was adopted or born. After receiving the court order, the registrar of the town in which the birth was recorded or DPH may issue (1) a certified copy of the original certificate with a notation that the original birth certificate has been superseded by a replacement certificate on file or (2) permit the examination of such record.

CERTIFICATION OF BIRTH REGISTRATION OF PEOPLE ADOPTED FROM ANOTHER STATE OR NATION (§16)

The bill lowers from 18 to 16 the age at which a person born outside of the state or country and adopted by state residents can obtain a certification of birth registration.

BELATED BIRTH REGISTRATIONS (§17)

The bill requires a registrar to provide DPH with a copy of a certificate for a belated registration of birth.

ILLEGAL ISSUANCE OF CERTIFICATES (§21)

The law prohibits anyone other than a registrar or DPH from issuing an original or certified copy of a birth, death, fetal death, or marriage certificate. This bill prohibits anyone other than a registrar or DPH from issuing uncertified copies of such certificates.

OUT-OF-STATE FUNERAL DIRECTORS AND EMBALMERS (§§ 22, 23, AND 24)

The bill allows licensed funeral directors or embalmers from another state who comply with DPH reciprocal agreements to complete a death certificate when they are in charge of the burial.

The law allows licensed embalmers and funeral directors to remove a dead person's body from one town to another or to another state. The bill also allows licensed embalmers and funeral directors from another state who comply with a reciprocal agreement with DPH to remove bodies from one town to another or to another state. It allows these out-of-state embalmers and directors to sign a Connecticut death certificate.

The bill allows embalmers and funeral directors licensed in states with reciprocal agreements with DPH to temporarily remove a body for preparation for burial or cremation. The bill eliminates a current requirement that the body must be returned within 24 hours to the Connecticut town where the death occurred unless a permit for permanent removal is obtained.

GESTATIONAL AGREEMENTS (§28)

The bill establishes requirements for birth certificates involving gestational agreements. (The bill does not define "gestational agreement.") The birth certificate for a child born as a result of a gestational agreement must be prepared by (1) a hospital, if the child is born there or en route, or (2) the registrar in the town of the birth, if born at home, upon receipt of a certified copy of a court order

approving a gestational agreement and a copy of the agreement if the court approved it before the child was born. The birth certificate must have all information required for birth certificates, except that the intended parent or parents under the court-approved agreement must be named as parents. The hospital or registrar must keep a copy of the court-approved agreement in a confidential file and forward a copy to DPH.

The bill directs DPH to prepare a new birth certificate in cases where the gestational agreement was pending at the time of birth and approved by the court after birth. It must contain the same information required for the hospital- and registrar-generated certificates above. Immediately after DPH prepares the new birth certificate, an exact copy of it, together with a copy of the court order, must be electronically or manually transmitted by DPH to the registrar of each town in which the child's birth is recorded. The new certificate, the original on file, and the copy of the court order must be filed and indexed according to regulations DPH must adopt. Anyone disclosing any information in the record, other than the intended parent or the child, is subject to a fine of up to \$500, a prison term of up to six months, or both.

Under the bill, DPH must provide a certified copy of a new birth certificate involving the gestational agreement to a person authorized to receive it (see "Obtaining Copies" above). A written order from the probate court district that approved the gestational agreement or another court of competent jurisdiction is necessary in order for a person, including the intended parents or the child, if over 18, to get a certified copy of the original birth certificate. The original certificate must include a notation by the issuer that a replacement certificate has superseded the original.

The bill prohibits anyone, including the parties to the gestational agreement and the child born because of it, from having access to or receiving any gestational agreement on file with DPH or any hospital or registrar, except with a court order.

The bill requires that the hospital, the registrar, or DPH prepare a fetal death certificate in the case of a fetal death involving a gestational agreement. It must include all required information, except that the

intended parents under the court approved agreement must be named as parents.

DPH AUTHORITY AND RESPONSIBILITIES (§31)

By law, DPH must adopt regulations on methods of recording, preserving, indexing, and amending vital records. The bill specifies that the regulations must also address reporting, issuing, maintaining, and correcting the records. It also directs the department to develop uniform procedures concerning vital records.

Amendments to Certificates (§32)

The bill specifies that only the DPH commissioner can amend birth certificates to reflect changes concerning parentage or gender change. Amendments related to such changes must result in a replacement certificate that supersedes the original and must not reveal the original language changed by the amendment. Any amendment made by a local registrar must follow DPH regulations and uniform procedures.

The bill directs DPH and registrars to maintain sufficient documentation, as determined by DPH, to support amendments and ensure the confidentiality of the documentation. The amendment date and a summary of the evidence submitted supporting the amendment must be endorsed on or made part of the record, and the original certificate must be marked "Amended," except for amendments due to parentage or gender change.

A registrar amending a certificate must forward the amended certificate within 10 days to DPH and to any registrar having a copy of the certificate. DPH must forward any certificate it amends, including changes due to parentage or gender, to the registrars affected, who in turn must amend their records.

An amended certificate supersedes the original and must be marked "Amended" except for changes due to parentage and gender. The original certificate, in the case of parentage or gender change, must be physically or electronically sealed and kept in a confidential file by DPH and the registrar affected. It can be unsealed for viewing or issuance only by court order. The amended certificate becomes the

public record.

Amendments –Paternity (§32)

By law, DPH must include on, or amend, a birth certificate to reflect an acknowledgement of paternity in a case of a child born out of wedlock. The bill specifies that if another father is listed on the birth certificate, DPH cannot remove or replace that name unless it is given a court order meeting the requirements specified above. As under current law, these amended birth certificates amended under this must not be marked “Amended.”

Name Change (§32)

The bill gives DPH the authority to change the child’s name, if requested, when paternity is rescinded. Currently, only the father’s name can be removed from the birth certificate when paternity is rescinded.

Under the bill, when a parent requests amendment of the child’s birth certificate to reflect a new mother’s name because the name on the original is fictitious, the parent must get a court order declaring the putative mother to be the child’s mother. DPH must amend the birth certificate after receiving the court order.

The bill also permits the local registrar in the town of occurrence to amend the birth certificate to reflect a person’s court-ordered name change and requires him to follow DPH methods.

BACKGROUND

Related Bill

HB 5051, favorably reported by the Public Health Committee, allows anyone to access and examine, but not copy, an original birth certificate or a copy, or birth record strictly for family research on that person.

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 25 Nay 0