



General Assembly

January Session, 2009

**Substitute Bill No. 1137**

\* SB01137JUD 040309 \*

**AN ACT CONCERNING BIRTH CERTIFICATES.**

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

1 Section 1. Section 7-48a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 [On and after January 1, 2002, each] (a) Each birth certificate, except  
4 a replacement certificate created pursuant to subsection (b) of this  
5 section, shall be filed with the name of the birth mother recorded.

6 (b) (1) If the birth is subject to a gestational agreement, upon order  
7 of a court of competent jurisdiction the Department of Public Health  
8 shall create a replacement certificate in accordance with [an] the order  
9 [from a court of competent jurisdiction] not later than forty-five days  
10 after receipt of [such] the order or forty-five days after the birth of the  
11 child, whichever is later.

12 (2) If the birth is subject to a gestational agreement, and the child is  
13 not genetically related to the birth mother, a court of competent  
14 jurisdiction may make a finding of intended parentage and may order  
15 that the intended parents be named as the parents of the child on a  
16 replacement certificate. Upon such order, the Department of Public  
17 Health shall create a replacement certificate in accordance with  
18 subdivision (1) of this subsection.

19 (3) Such replacement certificate shall include all information  
20 required to be included in a certificate of birth of this state as of the

21 date of the birth. When a certified copy of [such] a certificate of birth is  
22 requested by an eligible party, as provided in section 7-51, for which a  
23 replacement certificate has been created pursuant to this subsection, a  
24 copy of the replacement certificate shall be provided. The department  
25 shall seal the original certificate of birth in accordance with the  
26 provisions of subsection (c) of section 19a-42. Immediately after a  
27 replacement certificate has been prepared, the department shall  
28 transmit an exact copy of such certificate to the registrar of vital  
29 statistics of the town of birth and to any other registrar as the  
30 department deems appropriate. The town shall proceed in accordance  
31 with the provisions of section 19a-42.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2009	7-48a
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**Statement of Legislative Commissioners:**

Section 1 was rewritten and reorganized for accuracy.

**JUD**      *Joint Favorable Subst.-LCO*