
OLR Bill Analysis

SB 1045

AN ACT PROVIDING HOMELESS YOUTHS AND EMANCIPATED MINORS ACCESS TO BIRTH CERTIFICATES.

SUMMARY:

This bill gives (1) a person under age 18 who is certified as homeless and (2) an emancipated minor the ability to access and obtain his or her own birth certificate. Currently, only a person over age 18 has access and authority to obtain his or her own birth certificate.

With respect to “homeless youth,” the bill applies the federal definition and designates who may make the certification. By law, an emancipated minor is self-supporting and independent of parental control, usually as a result of a court order (see BACKGROUND). In Connecticut, emancipated minors are, as of January 1, 2010, under age 17 and on and after July 1, 2012, under age 18.

EFFECTIVE DATE: October 1, 2011; and July 1, 2012, for the provision that raises the age for emancipated minors (the date the change to the age of emancipation becomes effective).

HOMELESS CHILDREN AND YOUTH

“Homeless children and youth” means individuals who have no fixed, regular, and adequate nighttime residence (42 U.S.C. 11434a). They include youths who:

1. share other people’s housing because of a loss of housing, economic hardship, or a similar reason;
2. live in motels, hotels, trailer parks, or camp grounds because of a lack of alternative adequate accommodations;
3. live in emergency or transitional shelters;

4. are abandoned in hospitals;
5. are awaiting foster care placement;
6. have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping place;
7. live in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or
8. are migratory children living in any of the circumstances described above.

CERTIFIED HOMELESS YOUTH

The certification required by the bill can be made by:

1. a school district homeless liaison;
2. the director, or his or her designee, of a U.S. Department of Housing and Urban Development-funded emergency shelter program; or
3. the director, or his or her designee, of a U.S. Department of Health and Human Services-funded runaway or homeless youth basic center or transitional living program.

BACKGROUND

Emancipated Minor

A minor is emancipated, as a result of a superior or probate court order, who (1) willingly lives separate and apart from his or her parents or guardian and manages his or her own financial affairs, (2) has shown good cause that emancipation is in the best interest of the minor, (3) is in a valid marriage, or (4) is on active duty with any of the U.S. armed forces. Pursuant to PA 09-7, September Special Session, emancipated minors are, as of January 1, 2010, under age 17 and on and after July 1, 2012, under age 18 (CGS § 46b-150b).

COMMITTEE ACTION

Select Committee on Children

Joint Favorable Change of Reference

Yea 12 Nay 0 (03/03/2011)

Public Health Committee

Joint Favorable

Yea 26 Nay 0 (03/14/2011)