



House Bill No. 6482

Public Act No. 13-142

AN ACT CONCERNING BIRTH CERTIFICATES FOR HOMELESS YOUTH.

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

Section 1. Section 7-36 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

As used in this chapter and sections 19a-40 to 19a-45, inclusive, unless the context otherwise requires:

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

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

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

(4) "Vital records" means a certificate of birth, death, fetal death or

House Bill No. 6482

marriage;

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

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

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

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

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

House Bill No. 6482

(10) "Amendment" means to (A) change or enter new information on a certificate of birth, marriage, death or fetal death, more than one year after the date of the vital event recorded in such certificate, in order to accurately reflect the facts existing at the time of the recording of the event, (B) create a replacement certificate of birth for matters pertaining to parentage and gender change, or (C) reflect a legal name change in accordance with section 19a-42 or make a modification to a cause of death;

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

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

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

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

(15) "Commissioner" means the Commissioner of Public Health or the commissioner's designee;

(16) "Gestational agreement" means a written agreement for assisted reproduction in which a woman agrees to carry a child to birth for an intended parent or intended parents, which woman contributed no genetic material to the child and which agreement (A) names each party to the agreement and indicates each party's respective obligations under the agreement, (B) is signed by each party to the agreement and the spouse of each such party, if any, and (C) is witnessed by at least two disinterested adults and acknowledged in the manner prescribed by law;

(17) "Intended parent" means a party to a gestational agreement who agrees, under the gestational agreement, to be the parent of a

House Bill No. 6482

child born to a woman by means of assisted reproduction, regardless of whether the party has a genetic relationship to the child; [and]

(18) "Foundling" means (A) a child of unknown parentage, or (B) an infant voluntarily surrendered pursuant to the provisions of section 17a-58; [.] and

(19) "Certified homeless youth" means a person who is at least fifteen years of age but less than eighteen years of age, is not in the physical custody of a parent or legal guardian, who is a homeless child or youth, as defined in 42 USC 11434a, as amended from time to time, and who has been certified as homeless by (A) a school district homeless liaison, (B) the director of an emergency shelter program funded by the United States Department of Housing and Urban Development, or the director's designee, or (C) the director of a runaway or homeless youth basic center or transitional living program funded by the United States Department of Health and Human Services, or the director's designee.

Sec. 2. Section 7-51 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) The department and registrars of vital statistics shall restrict access to and issuance of a certified copy of birth and fetal death records and certificates less than one hundred years old, to the following eligible parties: (1) The person whose birth is recorded, if such person is (A) over eighteen years of age, or (B) a certified homeless youth, as defined in section 7-36, as amended by this act; (2) the person whose birth is recorded, if such person is a minor emancipated pursuant to sections 46b-150 to 46b-150e, inclusive; [(2)] (3) such person's children, grandchildren, spouse, parent, guardian or grandparent; [(3)] (4) the chief executive officer of the municipality where the birth or fetal death occurred, or the chief executive officer's authorized agent; [(4)] (5) the local director of health for the town or

House Bill No. 6482

city where the birth or fetal death occurred or where the mother was a resident at the time of the birth or fetal death, or the director's authorized agent; [(5)] (6) attorneys-at-law representing such person or such person's parent, guardian, child or surviving spouse; [(6)] (7) a conservator of the person appointed for such person; [(7)] (8) members of genealogical societies incorporated or authorized by the Secretary of the State to do business or conduct affairs in this state; [(8)] (9) agents of a state or federal agency as approved by the department; and [(9)] (10) researchers approved by the department pursuant to section 19a-25. Except as provided in section 19a-42a, access to confidential files on paternity, adoption, gender change or gestational agreements, or information contained within such files, shall not be released to any party, including the eligible parties listed in this subsection, except upon an order of a court of competent jurisdiction.

(b) No person other than the eligible parties listed in subsection (a) of this section shall be entitled to examine or receive a copy of any birth or fetal death record or certificate, access the information contained therein, or disclose any matter contained therein, except upon written order of a court of competent jurisdiction. Nothing in this section shall be construed to permit disclosure to any person, including the eligible parties listed in subsection (a) of this section, of information contained in the "information for health and statistical use only" section or the "administrative purposes only" section of a birth certificate, unless specifically authorized by the department for statistical or research purposes. The Social Security number of the parent or parents listed on any birth certificate shall not be released to any party, except to those persons or entities authorized by state or federal law. Such confidential information, other than the excluded information set forth in this subsection, shall not be subject to subpoena or court order and shall not be admissible before any court or other tribunal.

House Bill No. 6482

(c) (1) The registrar of the town in which the birth or fetal death occurred or of the town in which the mother resided at the time of the birth or fetal death, or the department, may issue a certified copy of the certificate of birth or fetal death of any person born in this state which is kept in paper form in the custody of the registrar. [Such] Except as provided in subdivision (2) of this subsection, such certificate shall be issued upon the written request of an eligible party listed in subsection (a) of this section. Any registrar of vital statistics in this state with access, as authorized by the department, to the electronic vital records system of the department may issue a certified copy of the electronically filed certificate of birth or fetal death of any person born in this state upon the written request of an eligible party listed in subsection (a) of this section.

(2) In the case of a certified homeless youth, such certified homeless youth and the person who is certifying the certified homeless youth as homeless, as described in section 7-36, as amended by this act, shall appear in person when the certified homeless youth is presenting the written request described in subdivision (1) of this subsection at (A) the office of the registrar of the town in which the certified homeless youth was born, (B) the office of the registrar of the town in which the mother of the certified homeless youth resided at the time of the birth, (C) if the birth certificate of the certified homeless youth has been electronically filed, any registrar of vital statistics in the state with access, as authorized by the department, to the electronic vital records system, or (D) the state vital records office of the department. The certified homeless youth shall present to the registrar or the department information sufficient to identify himself or herself as may be required by regulations adopted by the commissioner pursuant to section 7-41. The person who is certifying the certified homeless youth as homeless shall present to the registrar or the department information sufficient to identify himself or herself as meeting the certification requirements of section 7-36, as amended by this act.

House Bill No. 6482

(d) The department and each registrar of vital statistics shall issue only certified copies of birth certificates or fetal death certificates for births or fetal deaths occurring less than one hundred years prior to the date of the request.

Sec. 3. Section 46b-150d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

An order that a minor is emancipated shall have the following effects: (1) The minor may consent to medical, dental or psychiatric care, without parental consent, knowledge or liability; (2) the minor may enter into a binding contract; (3) the minor may sue and be sued in such minor's own name; (4) the minor shall be entitled to such minor's own earnings and shall be free of control by such minor's parents or guardian; (5) the minor may establish such minor's own residence; (6) the minor may buy and sell real and personal property; (7) the minor may not thereafter be the subject of (A) a petition under section 46b-129 as an abused, neglected or uncared for child or youth, (B) a petition under section 46b-128 or 46b-133 as a delinquent child for any act committed before the date of the order, or (C) a petition under section 46b-149 alleging that the minor is a child from a family with service needs; (8) the minor may enroll in any school or college, without parental consent; (9) the minor shall be deemed to be over eighteen years of age for purposes of securing an operator's license under section 14-36 and a marriage license under subsection (b) of section 46b-30; (10) the minor shall be deemed to be over eighteen years of age for purposes of registering a motor vehicle under section 14-12; (11) the parents of the minor shall no longer be the guardians of the minor under section 45a-606; (12) the parents of a minor shall be relieved of any obligations respecting such minor's school attendance under section 10-184; (13) the parents shall be relieved of all obligation to support the minor; (14) the minor shall be emancipated for the purposes of parental liability for such minor's acts under section 52-

House Bill No. 6482

572; (15) the minor may execute releases in such minor's own name under section 14-118; [and] (16) the minor may enlist in the armed forces of the United States without parental consent; and (17) the minor may access or obtain a certified copy of a birth certificate under section 7-51, as amended by this act.

Approved June 21, 2013