



General Assembly

February Session, 2018

Raised Bill No. 5408

LCO No. 1970



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING ACCESS TO ORIGINAL BIRTH RECORDS BY ADULT ADOPTED PERSONS.

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

1 Section 1. Subsections (b) and (c) of section 7-53 of the general
2 statutes are repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2018*):

4 (b) Except as provided in subsection (c) of this section, [and section
5 45a-751c,] an original certificate of birth may only be issued if the
6 person named in the certificate of birth is deceased and the person
7 seeking to obtain such certificate of birth is an authorized applicant, as
8 defined in section 45a-743. Any authorized applicant seeking to obtain
9 a copy of the original certificate of birth shall first obtain a written
10 court order issued in accordance with section 45a-751c, as amended by
11 this act. Upon receipt of such court order, the department may issue an
12 uncertified copy of the original certificate of birth on file, marked with
13 a notation by the issuer that such original certificate of birth has been
14 superseded by a replacement certificate of birth as on file.

15 (c) Upon request, the department shall issue an uncertified copy of
16 an original certificate of birth to (1) an adopted person who is eighteen
17 years of age or older, [whose adoption was finalized on or after
18 October 1, 1983,] or (2) such adopted person's adult child or
19 grandchild. Such certificate shall be marked with a notation by the
20 issuer that such original certificate of birth has been superseded by a
21 replacement certificate of birth as on file. Additionally, a notice stating
22 that information related to the birth parents' preferences regarding
23 contact by such adopted person or such adopted person's adult child
24 or grandchild and a medical health history form completed by the
25 birth parent may be on file with the Department of Children and
26 Families shall be printed on such certificate or attached thereto.

27 Sec. 2. Section 7-53a of the general statutes is repealed and the
28 following is substituted in lieu thereof (*Effective July 1, 2018*):

29 (a) Not later than January 1, [2016] 2019, and annually thereafter
30 until January 1, [2021] 2024, the Commissioner of Public Health shall
31 submit a report, in accordance with the provisions of section 11-4a,
32 concerning the number of original birth certificates issued annually to
33 adopted persons eighteen years of age or older [whose adoption was
34 finalized on or after October 1, 1983,] or the adult children or
35 grandchildren of adopted persons in accordance with section 7-53, as
36 amended by this act, to the joint standing committee of the General
37 Assembly having cognizance of matters relating to public health.

38 (b) Not later than January 1, [2016] 2019, and annually thereafter
39 until January 1, [2021] 2024, the Commissioner of Children and
40 Families shall submit a report, in accordance with the provisions of
41 section 11-4a, concerning the number of contact preference forms and
42 medical health history forms annually filed with the department in
43 accordance with section 17a-60a to the joint standing committee of the
44 General Assembly having cognizance of matters relating to public
45 health. The report shall include the number of birth parents that
46 selected each option described in section 17a-60a.

47 Sec. 3. Subsection (c) of section 45a-751b of the general statutes is
48 repealed and the following is substituted in lieu thereof (*Effective July*
49 *1, 2018*):

50 (c) Regardless of the date parental rights were terminated, [on or
51 after July 1, 2015,] the Department of Public Health shall, upon request,
52 issue an uncertified copy of an original birth certificate to an adopted
53 person eighteen years of age or older who is the subject of the birth
54 certificate [and whose adoption was finalized on or after October 1,
55 1983,] or such adopted person's adult child or grandchild, in
56 accordance with the provisions of section 7-53, as amended by this act.

57 Sec. 4. Section 45a-751c of the general statutes is repealed and the
58 following is substituted in lieu thereof (*Effective July 1, 2018*):

59 [(a) On the petition of an adopted person who is eighteen years of
60 age or older and whose adoption was finalized prior to October 1,
61 1983, or such adopted person's adult child or grandchild, the Probate
62 Court or the Superior Court that finalized an adoption or appointed a
63 guardian ad litem in accordance with section 45a-753 shall issue an
64 order directing the Department of Public Health to issue an uncertified
65 copy of an original birth certificate to such adopted person or such
66 adopted person's child or grandchild in accordance with subsection (b)
67 of section 7-53, provided each birth parent named on the original birth
68 certificate: (1) Consents to the release of identifying information in
69 accordance with sections 45a-751 to 45a-751b, inclusive; (2) is deceased;
70 or (3) a legal representative or guardian ad litem consents to the
71 release of identifying information on behalf of the birth parent in
72 accordance with section 45a-753. Nothing in this section shall limit the
73 right of an adopted person eighteen years of age or older whose
74 adoption was finalized on or after October 1, 1983, or such adopted
75 person's adult child or grandchild to obtain an uncertified copy of an
76 original birth certificate pursuant to section 7-53.]

77 [(b)] On the petition of an authorized applicant, as defined in section
78 45a-743, the Probate Court or the Superior Court that finalized an

79 adoption or appointed a guardian ad litem in accordance with section
80 45a-753 shall issue an order directing the Department of Public Health
81 to issue an uncertified copy of an original birth certificate to the
82 authorized applicant in accordance with subsection (b) of section 7-53,
83 provided the person named in the certificate of birth is deceased and
84 each birth parent named on the original birth certificate: (1) Consents
85 to the release of identifying information, in accordance with sections
86 45a-751 to 45a-751b, inclusive, as amended by this act; (2) is deceased;
87 or (3) a legal representative or guardian ad litem consents to the
88 release of identifying information on behalf of the birth parent, in
89 accordance with section 45a-753.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2018</i>	7-53(b) and (c)
Sec. 2	<i>July 1, 2018</i>	7-53a
Sec. 3	<i>July 1, 2018</i>	45a-751b(c)
Sec. 4	<i>July 1, 2018</i>	45a-751c

Statement of Purpose:

To allow an individual adopted prior to October 1, 1983, and his or her adult child or grandchild to obtain an uncertified copy of an original certificate of birth.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]